

JOHN L. VILLANUEVA

CITY MARSHAL  
BADGE #36  
29 East 233rd Street  
Bronx, N.Y. 10470  
Phn. (718) 654-3000  
Fax: (718) 654-4109

2010 DEC 30 PM 2:58

WARRANT REQUISITION  
-----

N/P (X) H/O ( ) A/T ( ) DEF (X) RES (X) COM ( )

COUNTY: BRONX

INDEX : 47671/2010

MARSHAL`S DOCKET#: 228382

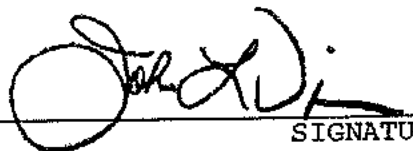
PETITIONER(S)  
2229 CRESTON PARTNERS LLC

RESPONDENT(S)  
JOEL DELGADO

RESPONDENT`S ADDRESS  
2229 CRESTON AVENUE  
APT. 17  
BRONX, NY 10453-0000

COMMENTS

DATE 12/30/2010

  
SIGNATURE

JOHN L. VILLANUEVA, CITY MARSHAL BADGE #36

CIV-L/T-100(3/05)

**LOSSING PART**

**L & T Index No. 047671/10**

*Petitioner(Landlord)*

*against*

*Respondent(Tenant)*

**REQUEST FOR A  
FINAL JUDGMENT**

2229 CRESTON AVENUE  
APT. 17  
BRONX , NY 10453

*Respondent(Undertenant)*

SECTION 8-NYCHA  
250 BROADWAY-9TH FLOOR  
NEW YORK, NY 10007

TO THE CLERK OF THE CIVIL COURT OF THE CITY OF NEW YORK

YOU ARE HEREBY REQUESTED TO SUBMIT THE PAPERS IN THE ABOVE  
ENTITLED PROCEEDING TO THE JUDGE FOR A FINAL ORDER/JUDGMENT.

Dated: 12/22/10



David L. Moss  
DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE  
SUITE 2102  
NEW YORK, NY 10017  
212/566-6780

*Marshal*

JOHN VILLANUEVA  
29 EAST 233RD STREET  
BRONX , NY 10470  
PHONE: 718/654-3000  
# 0036

TREE -2229-17

NEW YORK

PARTNERS LLC

L&amp;T Index No. 47671/10

Petitioner-Landlord

-against-

## AFFIDAVIT OF INVESTIGATION

JOEL DELGADO  
2229 CRESTON AVENUE; APT. 17  
BRONX, NY 10453

Respondent-Tenant.

STATE OF NEW YORK, COUNTY OF BRONX

CHAIM ALTER, being duly sworn, deposes and says:

I am the Petitioner/Landlord's agent and I reside in or have offices in the County of Bronx.

I have been requested by the attorney for the Petitioner-Landlord to make an investigation to ascertain if the above named Tenant(s) (and Undertenant) is at the present time in the military service.

On December 20, 2010, I called at premises No. 2229 Creston Avenue, Apt 17, Bronx, NY 10453 and had a conversation with JOEL DELGADO, the tenant of record, at 9:30am.

I asked the persons spoken to whether said Tenant(s) was (were) in the military service of the United States or of the State of New York in any capacity and the persons informed me said Tenant(s) was (were) not in the military service, nor was (were) the Tenant(s) or anyone in said Tenant(s) family dependent on any person in the military service of the United States or any nation allied with the United States.

## CHECK IF APPLICABLE

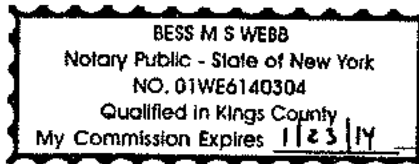
- ☒ A. I am personally familiar with the Tenants and have spoken to them on other occasions. I am familiar with the Tenants living mode and have never seen them in military inform.
- ☒ B. I have had the opportunity to review the Tenant's file, records and rental application.
- ☒ C. I have questioned the superintendent concerning the Tenant's living mode. He has informed me that to the best of his knowledge neither the Tenant nor anyone in the Tenant's family is, or is dependent upon, a member of the military service of N.Y., the United States, or an allied nation.
- ☐ D. The head of household is unemployed-receives public assistance.
- ☐ E. Other: \_\_\_\_\_

From the facts above set forth, I am convinced that the said Tenant(s) is not in or financially dependent upon someone in the military service of the United States or of New York State at the present time.

Sworn to before me on

12/21/10

BESS M S WEBB



*[Signature]*

## STATE OF NEW YORK, COUNTY OF NEW YORK: AFFIRMATION OF ATTORNEY

The undersigned affirms under the penalty of perjury that he is the attorney for the landlord in the above entitled action and he is making the affirmation pursuant to the United States Soldiers' and Sailors' Civil Relief Act of 1940, as amended, 50 U.S.C. App. Secs 501ff. That he has requested an investigation be made as set forth in the above affidavit, and from said investigation and affidavit he believes that the Tenant(s) and undertenant in this action are not in the military service of the United States, nor any nation allied with the United States in the prosecution of any war, or ordered to report for induction under the Selective Training and Service Act of 1940.

Dated:

12/22/10

*[Signature]*  
David L. Moss

PART OF THE CITY OF NEW YORK  
BRONX COUNTY

-----X  
2229 CRESTON PARTNERS LLC

L&T Index No. 47671/10

Petitioner,

-against-

**AFFIDAVIT IN SUPPORT**

JOEL DELGADO  
2229 CRESTON AVENUE; APT. 17  
BRONX, NY 10453

Respondent-Tenant.  
-----X

STATE OF NEW YORK     )  
COUNTY OF BRONX     ) ss.:

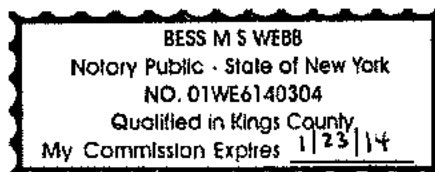
CHAIM ALTER, being duly sworn, deposes and says:

1. I am an agent of the Petitioner and I am personally familiar with the information set forth on this affidavit.
2. Upon Respondent's failure to pay rent, Petitioner caused a non-payment petition dated August 26, 2010 to be served upon Respondent
3. I have read such petition and I certify that the information contained therein is true.
4. Upon Respondent's failure to answer such petition, Petitioner is seeking a default judgment against Respondent. Respondent has failed to satisfy such non-payment petition and currently owes \$13,259.00 in rent and arrears through December 2010.

WHEREFORE, petitioner asks the court to issue a warrant of eviction,  
together with such other and further relief as the Court deems just and proper.

Sworn to before me this

21<sup>st</sup> day of December, 2010



A handwritten signature in cursive script, appearing to read "Chaim Alter".

BY: CHAIM ALTER

AFFIDAVIT OF CONSPICUOUS SERVICE

State of New York }  
County of Nassau }

Index #: 047671/10  
Client Ref. #: TREE-2229-17

I, Harry NP Heeralall, being duly sworn, depose and say: That deponent is not a party to this proceeding, is a licensed Process Server over 18 years of age and resides at Queens, New York.


Deponent was unable to serve: JOEL DELGADO tenant(s)/occupant(s) therein named by delivering a true copy thereof to said tenant(s)/occupant(s) personally at:


2229 CRESTON AVENUE, BRONX, NY 10453, APT. 17 on 9/7/10 at 9:47AM.

Deponent placed a true copy of the Notice of Petition & Petition for each tenant/occupant upon a conspicuous part, to wit – under the entrance door of said property.

Deponent was unable to find a person of suitable age and discretion willing to receive the same at this time or during a prior attempt made on 9/3/10 at 6:42PM. Deponent served true copies of the above mentioned documents on each tenant/occupant at the property sought to be recovered, by depositing true copies of the same enclosed in a wrapper in the Post Office by Certified Mail and Regular First Class Mail within the State of New York on 9/7/10.

Sworn to before me on September 7, 2010

  
Beth Belfer  
Notary Public, State of New York  
No. 41-5000673  
Qualified in Nassau County  
Commission Expires August 17, 2014

  
Harry NP Heeralall  
License # 1331358

## AFFIDAVIT OF SUBSTITUTE SERVICE

State of New York}  
County of Nassau}

Index #: 047671/10  
Client Ref. #: TREE-2229-17

I, Ragonat Khan, being duly sworn, depose and say: That deponent is not a party to this proceeding, is a licensed Process Server over 18 years of age and resides at Queens, New York.

Deponent was unable to serve: NYCHA-LEASED HOUSING EVICTION REVIEW tenant(s)/occupant(s) therein named by delivering a true copy thereof to said tenant(s)/occupant(s) personally, deponent knew the person so served to be the person(s) described as said tenant(s)/occupant(s) therein

At 250 BROADWAY NEW YORK, NY 10007 9<sup>TH</sup> FLOOR

On 9/7/10 at 9:05 AM deponent served the attached:

Notice of Petition & Petition

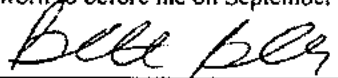
By gaining admittance to said property and delivering to and leaving a copy thereof for each tenant(s)/occupant(s) personally with Marie Jean, an agent authorized to accept service, who was willing to receive Notice Of Petition & Petition and who resided or was employed at said property.

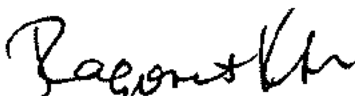
Description of person served:

Sex	Skin Color	Hair Color	Age	Height	Weight
Female	Black	Black	36-50	5'4"-5'8"	161-200 lbs.

And on 9/7/10 Deponent Served copies of the within Notice of Petition & Petition on each tenant/occupant, not personally served at the property sought to be recovered, by depositing a true copy for each named tenant/occupant of the same enclosed in a post paid wrapper, addressed to each tenant/occupant at the property sought to be recovered, in the post office by certified mail and by regular First Class Mail within the state of New York.

Sworn to before me on September 7, 2010

  
Beth Belfer  
Notary Public, State of New York  
No. 41-5000673  
Qualified in Nassau County  
Commission Expires August 17, 2014

  
Ragonat Khan  
License # 1184166

1043671

New York

New York

NERS LLC

Petitioner(s)  
Landlord(s)

Tenant(s)

Housing Authority

Address  
100 AVENUE

. NY 10453

Charged: \$7,840.60

ELLING

TREE - 2229-17

ICE OF NON-PAYMENT PETITION

Estate Service Address:

CTION 8-NYCH

0 BROADWAY 5TH FLOOR

EW YORK, NY 10007

2010 SEP 10  
1007  
1007

Attorney for Petitioner(s)

DAVID MOSS &amp; ASSOCIATES

15 MAIDEN LANE

SUITE 206

NEW YORK, NY 10038

212/566-6780

CIVIL COURT OF CITY OF NEW YORK  
COUNTY OF BRONX HOUSING PART

2229 CRESTON PARTNERS LLC

against

JOEL DELGADO

Petitioner(s)-Landlord(s)

Respondent(s) -Tenant(s)

-and-

2229 CRESTON AVENUE

Address

APT. 17

BRONX, NY 10453

New York City Housing Authority

Respondent

First Name of Tenant and/or Undertenant being fictitious and unknown to petitioner.  
Person intended being in possession of the premises herein described.

To the respondent(s) above named and described, in possession of the premises hereinafter described or claiming possession thereof:

PLEASE TAKE NOTICE that the annexed petition of 2229 CRESTON PARTNERS LLC

verified August 26, 2010 prays for final judgment of eviction, awarding to the petitioner possession of the premises described

as follows: All Rooms, Apartment 17

located at 2229 Creston Avenue, Bronx, NY 10453, County of Bronx, in the City of New York

as demanded in the petition.

TAKE NOTICE also that demand is made in the petition for judgment against you for the sum of \$7,840.60

plus the cost and disbursements of the proceeding.

TAKE NOTICE also that WITHIN FIVE DAYS after service of this Notice of Petition upon you, you must answer, either orally before the Clerk of this Court at 1118 Grand Concourse, Bronx, NY 10456,

County of Bronx, City and State of New York, or in writing by serving a copy thereof upon the attorneys for the petitioner,

and by filing the original of such answer, with proof of service thereof, in the Office of the Clerk. Your answer may set forth any

defense or counterclaim you may have against the petitioner unless such defense or counterclaim is precluded by law or prior

agreement of the parties. On receipt of your answer, the Clerk will fix and give notice of the date for trial or hearing which will be

held not less than 3 nor more than 8 days thereafter, at which you must appear. If, after the trial or hearing, judgment is rendered

against you, the issuance of a warrant dispossessing you may, in the discretion of the Court, be stayed for FIVE days from the

date of such judgment.

TAKE NOTICE also that if you fail to interpose and establish any defense that you may have to the allegations of the petition, you may be precluded from asserting such defense or the claim on which it is based in any other proceeding or action.

In the event you fail to answer and appear, final judgment by default will be entered against you but a warrant dispossessing you will not be issued until the tenth day following the date of the service of this Notice of Petition upon you.

TAKE NOTICE that under Section 745 of the Real Property Actions and Proceedings Law, you may be required by the Court to make a rent deposit, or a rent payment to the petitioner, upon your second request for an adjournment or if the proceeding is not settled or a final determination has not been made by the court within 30 days of the first court appearance. Failure to comply with an initial rent deposit or payment order may result in the entry of a final judgment against you without a trial. Failure to make subsequent required deposits or payments may result in an immediate trial on issues raised in your answer.

Dated: August 26, 2010

JACK BAER

Chief Clerk of the Civil Court of the City of New York

Index No. L/T

IMPORTANT TO TENANT-If you are dependent upon a person in the military service of the United States or the State of New York, advise the Clerk immediately, in order to protect your rights.

NOTICE OF PETITION

Non-Payment DWELLING

AUG 31 2010

ADL MOSS &  
ATTORNEYS AT LAW  
1000 LANE  
NEW YORK, NY 10038

**CERTIFIED MAIL™**



7009 1660 0002 2630 4743

Joel Delgado  
2229 Creston Ave.  
Apt. 17  
Bronx, NY

1045331551005125

EC: 1000512556

RETURN TO SENDER  
ATTEMPTED TO  
UNABLE TO FORWARD

\*1145-01735-15-40

NIXIE

100 DC 1

00 08/08/10



UNITED STATES POSTAGE  
\$005.54  
02 1P  
000464514 JUL 15 2010  
MAILED FROM ZIP CODE 10038

**U.S. Postal Service™  
CERTIFIED MAIL™ RECEIPT**  
(Domestic Mail Only; No Insurance Coverage Provided)

For delivery information visit our website at [www.usps.com](http://www.usps.com).

**OFFICIAL USE**

Postage	\$ 1.40/44	0005
Certified Fee	2.80/80	59
Return Receipt Fee (Endorsement Required)	2.30/30	Postmark Here
Restricted Delivery Fee (Endorsement Required)	\$0.00	
Total Postage & Fees	\$ 5.54	07/15/2010

Sent to Joel Delgado  
Street, Apt. No.,  
or PO Box No. 2229 Creston Avenue, Apt 17  
City, State, ZIP+4 Bronx, NY 10453

PS Form 3800, August 2006

See Reverse for Instructions

Enclh 0892 2000 0991 6002

City of New York



**RECEIVED**  
JUL 20 2010  
LEASED HOUSING  
EVICTED UNIT

**CERTIFICATION OF BASIS  
AGAINST TENANT PARTICIPANT  
HOUSING CHOICE VOUCHER**

Tenant's Name: Joel Delgado

Tenant's Address: 2229 Creston Avenue

City/Zip Code: Bronx, NY 10453

Date: \_\_\_\_\_  
Voucher #: 0534822  
Apt #: 17

- I. The undersigned landlord intends to commence an eviction proceeding against you on the following grounds and certifies that the grounds constitute a lawful basis for eviction of a tenant participant in the Section 8 Program.

☒ Non-payment of the tenant's share of rent, at \$ 765.00 per month, for the months of 7/10; (See left side 2) for a total of \$ 7640.00, plus additional charges (if any) in the amount of \$ \_\_\_\_\_. The landlord does not seek to recover from the tenants the subsidy portion of the rent. (Total Contract Rent for apartment is \$ 1030.00)  
Explanation and itemization of rent demand and any additional charges (if necessary): \_\_\_\_\_

☐ Holdover proceedings related to termination or suspension of Section 8 assistance, as follows: \_\_\_\_\_

- II. FILL OUT THIS SECTION ONLY IF YOU HAVE A CLAIM AGAINST THE TENANT FOR THE TENANT'S SHARE OF THE RENT AND IF YOU ALSO INTEND TO SUE THE AUTHORITY FOR THE SUBSIDY PORTION OF THE CONTRACT RENT. The undersigned intends to include in the eviction proceeding a claim against the Housing Authority for non-payment of the subsidy portion of the contract rent, at \$ \_\_\_\_\_ per month, for the month(s) of \_\_\_\_\_ for a total of \$ \_\_\_\_\_. The landlord will not seek recovery of this amount from the tenant.

SIGNED: \_\_\_\_\_  
Print Landlord's Name: 2229 Creston Partners LLC

Landlord's Attorney: David L. Moss & Associates  
Attorney's Address: 15 Maiden Lane, Suite 206  
New York, NY 10038

Landlord's Vendor #: 218665 (required) Attorney's Phone #: 212-566-6780

THE CERTIFICATION MUST BE EXECUTED BY SOMEONE WITH PERSONAL KNOWLEDGE OF THE RELEVANT FACTS, WHICH MAY BE BASED ON THE LANDLORD'S BOOKS AND RECORDS.

Please indicate where form is to be returned to: ☐ Landlord ☒ Attorney ☐ Both

**NEW YORK CITY HOUSING AUTHORITY'S REPLY TO  
CERTIFICATION OF BASIS FOR EVICTION PROCEEDING**

Tenant's Name: Joel Delgado

Voucher #: 0534822

TO THE ABOVE NAMED LANDLORD AND TENANT:

- ☐ The Housing Authority ACCEPTS the Landlord's Certification on the grounds stated above.  
☐ A. The Housing Authority intends to participate in the eviction proceeding. Please advise the Housing Authority of the date, time and location of the hearing by telephoning (212) 306-8500.  
☐ B. The tenant has requested a rent determination hearing and the hearing is being expedited by the Housing Authority.

- ☒ The Housing Authority OBJECTS TO the Certification for the reason(s) checked below:  
☐ A. The Certification fails to state specific factual allegations regarding the basis for the proceeding.  
☐ B. Failure to allege facts which, if proven, would establish good cause to evict.  
☒ C. The proposed non-payment proceeding seeks to recover from the tenant more than the share of rent for which the tenant is responsible. The correct tenant's share of rent per month is \$ \_\_\_\_\_. Explanation (if any):  
r/s \$50.00 9/09-12/09 \$600.00 for 1/10-7/10

- ☒ D. The landlord has failed to comply with Section 8 procedures applicable to the tenant and unit at issue, as follows:  
☐ 1. Failure to include proof of mailing of Certification to tenant.  
☒ 2. Other violation(s): no signature sent 12/10/09 previous L-entitled to 1/09-1/10/09

☐ E. The landlord is seeking to withdraw the tenant's unit from the Section 8 Program, in violation of the following applicable law: \_\_\_\_\_

☐ This Certification is not required for the Hold-over proceeding you seek to bring against this tenant.

☐ Our records indicate that the above-named tenant is not a NYCHA Section 8 voucher holder.

By: \_\_\_\_\_

Date: 7/17/10  
Page 9

DAVID MOSS & ASSOCIATES  
15 MAIDEN LANE  
SUITE 206  
NEW YORK, NY 10038  
Phone: (212) 566-6780

Date: August 26, 2010

To: JOEL DELGADO

Alternate Service Address:  
SECTION 8-NYCHA  
250 BROADWAY-9TH FLOOR

NEW YORK, NY 10007

This firm has been retained to collect a debt consisting of rent arrears totaling **\$7840.60**. Any information obtained will be used for that purpose.

The below named creditor claims that you owe rent arrears as specified. You have 30 days from receipt of this notice to dispute the debt in writing. If you fail to do so, we will assume the debt to be valid. If you timely notify us, in writing, that you do dispute the debt, we will obtain verification of the debt and mail same to you. Upon your written request made within thirty (30) days of the receipt of this notice, we will provide you with the name and address of the original creditor, if different from the current creditor.

This opportunity to dispute the debt is separate from any response that you are required to make or any action you are required to take with respect to any other legal notices you receive. Please respond to any legal notices you may receive within the time frames set forth in those notices.

Creditor: 2229 CRESTON PARTNERS LLC

JOEL DELGADO  
2229 CRESTON AVENUE, APT: 17  
BRONX, NY 10453

TREE -2229-17

1 & T No. **10047671**

Civil Court of The City of New York

County of BRONX Housing Part

2229 CRESTON PARTNERS LLC

Petitioner(s)

Landlord(s)

against

JOEL DELGADO

Tenant(s)

and-  
New York City Housing Authority

2229 CRESTON AVENUE

Apt. 17

BRONX, NY 10453

Amount Claimed: \$7,840.60

DWELLING

TREE -2229-17

## PETITIONNON-PAYMENT

Notice of Petition served on \_\_\_\_\_

Notice of Petition returned on \_\_\_\_\_

Notice of Petition issued on \_\_\_\_\_

Tenant appears on \_\_\_\_\_

but fails to answer.

Tenant answers on \_\_\_\_\_

Answer is \_\_\_\_\_

Set for trial on \_\_\_\_\_

Landlord notified on \_\_\_\_\_

Sufficiency of answer referred

to court \_\_\_\_\_

Raiss \_\_\_\_\_ issue \_\_\_\_\_

Attorney for Petitioner

Judge

DAVID MOSS &amp; ASSOCIATES

15 MAIDEN LANE

SUITE 206

NEW YORK, NY 10038

212/566-6780

THE PETITION OF: 2229 CRESTON PARTNERS LLC, alleges, upon Information and Belief:

1. Petitioner is the landlord of the premises.

2. Respondent(s) JOEL DELGADO,

is (are) tenant(s) in possession of said premises pursuant to a WRITTEN lease agreement made heretofore

as rent \$1,030.00 each month in advance on the 1ST day of each month.

3. Respondent(s) is (are) the undertenant(s) of the aforesaid respondent(s) tenant(s).

4. Respondent(s) is (are) now in possession of said premises. Said premises is (are) the residence of the tenants and under tenants herein.

5. The premises from which removal is sought were rented for Dwelling purposes and are described as follows:

All Rooms Apartment 17 in the building known as 2229 CRESTON AVENUE,

situated within the territorial jurisdiction of the Civil Court of the City of New York, County of BRONX,

6. Pursuant to said agreement there was due from respondent tenant(s), the sum of \$ 7,840.60 in rent and additional rent as follows:

Jul 10 \$	765.00	Nov 09 \$	116.75
Jun 10 \$	1,345.00	Oct 09 \$	52.00
May 10 \$	1,345.00	Sep 09 \$	52.00
Apr 10 \$	735.00	Jul 09 \$	52.00
Mar 10 \$	735.00	Jun 09 \$	52.00
Feb 10 \$	735.00	May 09 \$	52.00
Jan 10 \$	735.00	Apr 09 \$	52.00
Dec 09 \$	125.00	Mar 09 \$	52.00

7. The premises are subject to the Rent Stabilization Law of 1969, as amended to date. Any rent demanded herein does not exceed the lawful

stabilized rent permitted the owner under said Law, Code and appropriate Rent Guidelines Board Orders.

The subject apartment has been duly registered with the Division of Housing and Community Renewal of the State of New York.

8. Said rent has been demanded personally from the tenant(s) since same became due.

9. Respondents have defaulted in the payments thereof and continue in possession of premises without permission after said default.

10. The premises are a multiple dwelling and pursuant to the Housing Maintenance Code Article 41 there is a currently effective registration statement on file with the Office of Code Enforcement which designates the managing agent named below, a natural person over 21 years of age, to be in control of and responsible for the maintenance and operation of the dwelling.

Agent JOSH GOTTLIEB

1520 SEDGWICK AVENUE BRONX NY 10453

Multiple Dwelling No. 203723

WHEREFORE, Petitioner requests a final judgment against respondent(s) for the rent demanded therein, awarding possession of the premises to petitioner landlord, and directing the issuance of a warrant to remove respondent(s) from possession of the premises together with costs and disbursements of this proceeding. Dated: 08/26/2010

2229 CRESTON PARTNERS LLC

STATE OF NEW YORK, COUNTY OF NEW YORK The undersigned affirms under penalty of perjury that he is one of the attorneys for the petitioner, that he has read the foregoing petition and knows the contents thereof; that the same are true to his own knowledge except as to matters stated to be upon information and belief; and as to those matters he believes them to be true. The grounds of his belief as to matters not stated upon his knowledge are statements and/or records provided by the petitioner, its agents and/or employees and contained in the file in the attorneys' office. This verification is made pursuant to the provisions of RPAPL 741.

08/26/2010

DAVID L. MOSS

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX PART  
DECISION AND JUDGMENT

INDEX # 047671/2010  
JUDGMENT SEQ # 001

2229 CRESTON PARTNERS LLC,

Petitioner(s)

AGAINST  
DELGADO, JOEL  
NYCHA,

Respondent(s)

Decision and judgment is rendered based upon  
respondents failure to file an answer as follows:

Judgment of possession is granted in favor of:

2229 CRESTON PARTNERS LLC,  
and against  
DELGADO, JOEL

A counterclaim is granted in favor of the respondent in the amount of \$0.00  
(which if not being entered separately is offset and reflected in the  
total amount due, listed below.)

A money judgment is hereby granted, along with cost and disbursements  
in the amount of \$0.00 in favor of:

2229 CRESTON PARTNERS LLC,  
and against  
DELGADO, JOEL

for a total amount of \$0.00

(Monthly use and occupancy is set at \$0.00 per month, as per order,  
stipulation or decision in record.)

Warrant to issue forthwith

Execution

FW

Date JAN 3 2011

  
Judge, Civil/Housing Court

Hon. Andrew Lehrer  
Judge, Housing Court

Section 5020(c) of the Civil Practice Law and Rules requires that a satisfaction be filed with the  
clerk when the judgment is satisfied. Failure to do so subjects the judgment creditor to penalties.

ENTRY OF JUDGMENT

Judgment entered in accordance with the above on JAN 03 2011

  
CHIEF CLERK

Chief Clerk, Civil Court

Warrant issued to Marshal Villanueva On JAN 12 2011

COUNTY OF BRONX HOUSING PART M2229 Creston LLC

Petitioner(s)

(-against-)

Respondent(s)

Joel DelgadoINDEX NO. 47671/10HON. VicellaDATED 2/10/11PREMISES 2229 CrestonAPT # 17

## STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation of settlement of the issues in this matter.

## IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED BY THE PARTIES HERE TO THAT:

Petition amended to include all rent through \_\_\_\_\_ in the sum of \$ \_\_\_\_\_. Respondent(s) consents to a final judgment in the amount of \$ \_\_\_\_\_. Issuance of the warrant \_\_\_\_\_. Warrant shall issue/execute on default in payment.

Action settled. Respondent(s) agree to pay \$ \_\_\_\_\_ by \_\_\_\_\_

Default shall authorize Petitioner to restore for appropriate relief on \_\_\_\_\_ days written notice by regular mail.

Respondent(s) agrees to timely pay future rent as it becomes due. All monies received will first be applied to current rent and the remainder to arrears. Petitioner may accept partial payment without prejudice. Upon default, Marshal's Notice required, remail only. Tenant acknowledges that the condition of the premises is satisfactory.

case adjourned to 3/2/11 @ 9:30am for  
tenant of record to appear. Respondent  
is hospitalized until 2/28/11. Marked  
final against Respondent.

Petitioner by: [Signature]

Attorneys for Petitioner  
**DAVID L. MOSS & ASSOCIATES**  
 370 LEXINGTON AVENUE, SUITE 2102  
 NEW YORK, NY 10017  
 TEL: (212) 566-6780  
 FAX: (212) 937-4682

Respondent(s): [Signature]

No Tenancy Rights

COUNTY OF BROWX HOUSING PART H2229 Creston LLC

Petitioner(s)

(-against-)

Respondent(s)

INDEX NO.

HON.

DATED

PREMISES

APT #

47671 110Villella3/2/112229 Creston17

## STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation of settlement of the issues in this matter.

## IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED BY THE PARTIES HERE TO THAT:

Petition amended to include all rent through \_\_\_\_\_ in the sum of \$ \_\_\_\_\_. Respondent(s) consents to a final judgment in the amount of \$ \_\_\_\_\_. Issuance of the warrant \_\_\_\_\_

\_\_\_\_\_. Warrant shall issue/execute on default in payment.

Action settled, Respondent(s) agree to pay \$ \_\_\_\_\_ by \_\_\_\_\_

Default shall authorize Petitioner to restore for appropriate relief on \_\_\_\_\_ days written notice by regular mail.

Respondent(s) agrees to timely pay future rent as it becomes due. All monies received will first be applied to current rent and the remainder to arrears. Petitioner may accept partial payment without prejudice. Upon default, Marshal's Notice required, remain only. Tenant acknowledges that the condition of the premises is satisfactory.

*Case adjourned to March 23, 2011 at 9:30am for Respondent to Subpoena NYCHA (Section 8) and bring proof of return date.*

*Repairs alleged: Check broken windows throughout; paint/plaster throughout; sinking floor throughout; floor laminate throughout; ceiling in kitchen and bathroom; bedroom and bathroom electrical wiring; kitchen wall;*

Petitioner by:

Respondent(s):

Attorneys for Petitioner  
DAVID L. MOSS & ASSOCIATES  
370 LEXINGTON AVENUE, SUITE 2102  
NEW YORK, NY 10017  
TEL: (212) 566-6780  
FAX: (212) 937-4682

*Jul Delgado*

*exterminator for rats throughout.  
Access dates: 3/16/11 and 3/17/11  
9-5, arrival by noon. Page 14*

COUNTY OF BROOK HOUSING PART M2229 Creston LLC

Petitioner(s)

(-against-)

Respondent(s)

Joel Delgado

INDEX NO.

HON.

DATED

PREMISES

APT #

4767/110Villa 1193/23/112229 Creston17

## STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation of settlement of the issues in this matter.

## IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED BY THE PARTIES HERE TO THAT:

Petition amended to include all rent through \_\_\_\_\_ in the sum of \$ \_\_\_\_\_. Respondent(s) consents to a final judgment in the amount of \$ \_\_\_\_\_. Issuance of the warrant \_\_\_\_\_.

\_\_\_\_\_ . Warrant shall issue/execute on default in payment.

Action settled, Respondent(s) agree to pay \$ \_\_\_\_\_ by \_\_\_\_\_.

Default shall authorize Petitioner to restore for appropriate relief on \_\_\_\_\_ days written notice by regular mail.

Respondent(s) agrees to timely pay future rent as it becomes due. All monies received will first be applied to current rent and the remainder to arrears. Petitioner may accept partial payment without prejudice. Upon default, Marshal's Notice required, remail only. Tenant acknowledges that the condition of the premises is satisfactory.

*Case adjourned to 4/19/11 at 9:30am for Respondent to re-subpoena NYCHA Section 8, and bring proof of return date. Repairs alleged: Check ~~all~~ repairs as per prior stipulation dated 3/2/11. Tenant acknowledges landlord repaired bathroom and kitchen ceiling only, however states that all other repairs on prior stipulation remain outstanding.*

Petitioner by: \_\_\_\_\_

Respondent(s): \_\_\_\_\_

Attorneys for Petitioner  
DAVID L. MOSS & ASSOCIATES  
370 LEXINGTON AVENUE, SUITE 2102  
NEW YORK, NY 10017  
TEL: (212) 566-6780  
FAX: (212) 937-4682

Joel Delgado

Access dates: 4/6/11 and 4/7/11.  
9-5, arriving noon.

→ Tenant states that he subpoenaed Section 8 as per prior stipulation, however Section 8 did not receive subpoena.

\*\*\*\*\*  
 \*\*\*\*\*

CIVIL COURT OF THE CITY OF NEW YORK  
 COUNTY OF BRONX  
 HOUSING PART M, RM. 460  
 FEBRUARY 10, 2011

INDEX NO. 04/6/1/2010  
 MOTION SEQUENCE NO.: 001

2229 CRESTON

PARTNERS  
 PETITIONER(S),

AGAINST  
 DELGADO/NYCHA

JOEL  
 RESPONDENT(S)

DECISION/ORDER

PRESENT:

LOUIS J. VILLELLA  
 JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE  
 REVIEW OF THIS OSC TO VACATE DEFAULT JUDGMENT/PLACE ON THE CALENDAR

PAPERS

NUMBERED

NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....  
 ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED....  
 ANSWERING AFFIDAVITS.....  
 REPLYING AFFIDAVITS.....  
 EXHIBITS.....  
 STIPULATIONS.....  
 OTHER.....

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS  
 AS FOLLOWS:

*Adj 3/2/11 2 9:30 am.*  
*per stip*

*MDNAM All stip vacated.*

*3/11/11: MDNAM*  
*Stay vacated*

*3/11/11*  
 DATE JUDGE, CIVIL/HOUSING COURT

ADJOURNMENTS

*4/19* | *3/11/11* | | | | |



OF THE CITY OF NEW YORK  
BRONX

INDEX NO. 047671/2010

SEQ NO. 001

SHOW CAUSE TO VACATE FAIL TO ANSWER JUDGMENT AND PLACE ON THE CALENDAR

CRESTON

PARINERS

PETITIONER(S),

AGAINST

DELGADO/NYCHA

JOEL

RESPONDENT(S)

PREMISES:

2229 CRESTON AVENUE

17

BRONX

NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON JANUARY 27, 2011,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK

HOUSING PART: PART M, RM. 460

LOCATED AT: 1118 GRAND CONCOURSE, BRONX

ON: FEBRUARY 10, 2011, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENT'S FAILURE TO ANSWER, PERMITTING  
THE FILING OF AN ANSWER, PLACING THE CASE ON THE CALENDAR AND/OR  
GRANTING SUCH OTHER AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),

ATTORNEY(OR PARTY)

MARSHAL:

(JUDGE TO INITIAL)

(JUDGE TO INITIAL)

☒ BY PERSONAL SERVICE "IN HAND DELIVERY"☒ BY PERSONAL SERVICE "IN HAND DELIVERY"☒ BY CERTIFIED MAIL, R. R. H.☒ BY CERTIFIED MAIL, R. R. H.☒ BY FIRST CLASS MAIL WITH CERTIFICATE☒ BY FIRST CLASS MAIL WITH CERTIFICATE

OF MAILING AT POST OFFICE

OF MAILING AT POST OFFICE

ON OR BEFORE

1/28/11

SHALL BE DEEMED GOOD AND SUFFICIENT.

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MUSS &amp; ASSOCIATES

370 LEXINGTON AVENUE STE 2102

NEW YORK, NY 10017

TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36

29 EAST 233RD STREET

BRONX, NY 10470

TELEPHONE: (718) 654-3000

LOUIS J. VILLELLA

JUDGE, CIVIL/HOUSING COURT

DATE

DENIED

GENERATED: 01/27/2011 @ 11:27:02

CIV-L1-76 (7/99)

Housing Part

[PLEASE PRESS HARD]

Index No. LT

47671/10

## AFFIDAVIT IN SUPPORT OF AN ORDER TO SHOW CAUSE

To Vacate a Judgment Based upon Failure to Answer,

To Permit the Filing of a Late Answer

and

To Place the Case on the Calendar

against

Petitioner,

Delgado/NYCHA

Respondent

Address: 2229 Creston Ave  
Bronx, NY 10453

Apr. 17

State of New York, County of Bx SS.:

Tenant's Initials

1. ~~JP~~ ~~JD~~PARTY ~~IX~~ ~~33~~

a) I am the tenant named as respondent in the above summary proceeding.

b) I am the person claiming possession to these premises and am the  
of the tenant named above.2.  
SERVICE  
and ANSWERa) I have received the Notice of Petition and Petition in this proceeding but *failed to answer* in the Clerk's  
Office because:b) I have not received a copy of the Notice of Petition and the Petition in this proceeding, but first learned  
about this action by:

receiving a Postcard.

receiving a Notice of Eviction from the Marshal.

Other:

3.  
DEFENSE

I allege that I have a good defense because:

I was improperly served.

the amount being claimed is incorrect.

there is credit due for rent overcharge.

the rent has been offered and refused.

there are conditions in the apartment which need repair, or services which have not been provided.

petitioner is not the owner.

no rent was demanded.

the rent has been partially/fully paid.\*

I have been harassed.

\* Explain rent payments, if any, or other defense.

Rent hasn't been  
paid cause no gas for 8 month hasn't done

no repairs and landlord charging more rent than on

REQUEST

I request that the Judgment be vacated, that the filing of an answer be permitted, that the case be placed on  
the calendar and that I be granted permission to serve these papers in person.5. PRIOR  
ORDER

a) I have not had a previous Order to Show Cause regarding this index number.

b) I have had a previous Order to Show Cause regarding this index number but I am making this further  
application because:Got hospital's papers Brother been hospitalized  
can't walk is gonna be in wheel chair operate on leg.6. PRIOR  
CASE(S)

The same landlord and I have been in Housing Court before.

Earlier Index Number(s):

Sworn to before me this

27 day of JAN 2011  
MPC.OA.

Signature of Court Employee and Title

Signature of Respondent

# Hospital for Joint Diseases

NYU LANGONE MEDICAL CENTER

DEPARTMENT OF HEALTH INFORMATION MANAGEMENT

Date: JANUARY 26, 2011  
Patient: JOEL DELGADO  
Address: 750 EAST 179 STREET  
BRONX, NY 10457  
MR#: \_\_\_\_\_

To Whom It May Concern:

Please be advised that the above named patient was treated at NYU's Hospital for Joint Diseases as follows:

(☒) Admitted 1/21/11 Discharged REMAINS HOSPITALIZED AS OF  
( ) Special Care Unit from \_\_\_\_\_ to \_\_\_\_\_ ABOVE DATE.  
( ) ICU from \_\_\_\_\_ to \_\_\_\_\_  
( ) Immediate Care Visit \_\_\_\_\_  
( ) Clinic Visit(s) on \_\_\_\_\_

Hospital Representative Name and Title:

PAM FOSTER, PATIENT ADVOCATE

Hospital Representative Signature:

Pam Foster

No file

\*\*\*\*\*  
\*\*\*\*\*

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX  
HOUSING PART M, RM. 460  
MAY 31, 2011

INDEX NO. 047671/2010  
MOTION SEQUENCE NO.: 002

2229 CRESTON	PARTNERS	DECISION/ORDER
	PETITIONER(S),	
AGAINST		PRESENT:
DELGADO/NYCHA	JOEL	LOUIS J. VILLELLA
	RESPONDENT(S)	JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE REVIEW OF THIS OSC TO VACATE DEFAULT JUDGMENT/RESTORE TO THE CALENDAR

PAPERS	NUMBERED
NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....	_____
ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED....	_____
ANSWERING AFFIDAVITS.....	_____
REPLYING AFFIDAVITS.....	_____
EXHIBITS.....	_____
STIPULATIONS.....	_____
OTHER _____	_____

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS AS FOLLOWS:

~~MOTION TO VACATE DEFAULT JUDGMENT AND RESTORE TO THE CALENDAR~~

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

5/31/11  
DATE JUDGE, CIVIL/HOUSING COURT

ADJOURNMENTS

5/31/11  
adj 7/11/11

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

2229 CRESTON PARTNERS VS DELGADO/NYCHA

IO OF RESP OSC APPL: 2  
 MT DMD: \$7,840.60 PETN ATTY: DAVID MOSS & ASSOCIATES  
 FILING DTE FILING TYPE CASE TYPE1 CASE TYPE2 CASE TYPE3  
 08/31/2010 PET/NP RESDT NON-PAY

PETITIONER:

2229 CRESTON PARTNERS LLC

RESPONDENT:

DELGADO

JOEL

NYCHA

PREMISES ADDRESS:

2229 CRESTON AVENUE 17

BRONX NY 10453

DESCRIPTION:

17

01/27/2011	001	OSC BY RESP SIGNED BY	LJV	02/10/2011	M	09:30A	
		VACATE DEFAULT JUDGMENT					
		ASSIGN TO PART M					
02/10/2011	001	CLN M	09:30A	ADJN	03/02/2011	M	09:30A LJV OSC
03/02/2011	002	CLN M	09:30A	ADJN	03/23/2011	M	09:30A LJV OSC
03/23/2011	003	CLN M	09:30A	ADJN	04/19/2011	M	09:30A LJV OSC
04/19/2011	004	CLN M	09:30A	ADJN	05/11/2011	M	09:30A LJV OSC
05/11/2011	005	CLN M	09:30A	DNAM			LJV OSC
05/13/2011	002	OSC BY RESP SIGNED BY	LJV	05/31/2011	M	09:30A	
		VACATE JUDGMENT					
05/31/2011	001	CLN M	09:30A				OSC
12/23/2010	001	WAR WARRANT REQUESTED					
01/03/2011	001	FJD PAPERS REVIEWED					
01/03/2011	001	FJD SUBMITTED TO AL	FAIL TO ANSWER				
01/03/2011	001	WAR WARRANT REVIEWED					
01/12/2011	001	FJD SIGNED BY AL					
		FAIL TO ANSR/					
		POSS AWARDED Y MONEY AWARD				\$1.00	

JUDGMENT AGAINST:

DELGADO

JOEL

01/12/2011 001 WAR WARRANT ISSUED JOHN VILLANUEVA-BADGE #36

EXECUTION IS AS PER STIP/ORDER

AGAINST:

DELGADO

JOEL

2229 CRESTON PARTNERS  
 PETITIONER(S),  
 AGAINST  
 DELGADO/NYCHA JOEL  
 RESPONDENT(S)

PREMISES:  
 2229 CRESTON AVENUE 17  
 BRONX NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
 THE ABOVE NAMED RESPONDENT(S), SWORN TO ON MAY 13, 2011,  
 AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
 MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK  
 HOUSING PART: PART M, RM.460  
 LOCATED AT: 1118 GRAND CONCOURSE, BRONX  
 ON: MAY 31, 2011, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
 RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
 AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
 HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
 PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
 ATTORNEY(OR PARTY)

(JUDGE TO INITIAL)

MARSHAL:

(JUDGE TO INITIAL)

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY CERTIFIED MAIL, R. R. R.

BY CERTIFIED MAIL, R. R. R.

BY FIRST CLASS MAIL WITH CERTIFICATE  
 OF MAILING AT POST OFFICE

BY FIRST CLASS MAIL WITH CERTIFICATE  
 OF MAILING AT POST OFFICE

ON OR BEFORE 5-13-11, SHALL BE DEEMED GOOD AND SUFFICIENT.  
 PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
 OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
 370 LEXINGTON AVENUE STE 2102  
 NEW YORK, NY 10017  
 TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
 29 EAST 233RD STREET  
 BRONX, NY 10470  
 TELEPHONE: (718) 654-3000

5-13-11  
 DATE

JOHN J. VILLELLA  
 JUDGE, CIVIL/HOUSING COURT

DENIED

GENERATED: 05/13/2011 @ 14:18:23

CIV-LT-71 (REVISED 7/99)

Index No. LT

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and  
**TO RESTORE TO THE CALENDAR**

Petitioner,

against

Respondent

Address:

~~2229 Creston Ave~~ 2229 Creston Ave

Apt. 17

State of New York, County of San Juan SS.:

(Print Your Name)

being duly sworn, deposes and says:

**Tenant's Initials**1. **PARTY**

- a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the  
of the tenant named above.

2. **SERVICE  
and ANSWER**

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and  
received a date for trial.  
I received a Holdover Notice of Petition and Petition and the date had already passed.

3. **EXCUSE**

- On the Date of Trial before Judge \_\_\_\_\_  
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in  
Court on the date scheduled for (Trial) (Motion) is: \_\_\_\_\_

- b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order  
of the Court because: \_\_\_\_\_

4. **DEFENSE**

I allege that I have a good defense because:

- \_\_\_\_\_ I was improperly served. \_\_\_\_\_ petitioner is not the owner.  
\_\_\_\_\_ the amount being claimed is incorrect. \_\_\_\_\_ no rent was demanded.  
\_\_\_\_\_ there is credit due for rent overcharge. \_\_\_\_\_ the rent has been partially/fully paid.\*  
\_\_\_\_\_ the rent has been offered and refused. \_\_\_\_\_ I have been harassed.  
\_\_\_\_\_ there are conditions in the apartment which need repair, or services which have not been provided.

\*Explain rent payments, if any, or other defense:

He is disabled and had landlord in Hospital on court day due to infection on his

5. **REQUEST**

I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6. **PRIOR  
ORDER**

- a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further  
application because: \_\_\_\_\_

Sworn to before me this 13 day of May, 20 17

Signature of Respondent

Signature of Court Employee and Title

CIVIL COURT OF THE CITY OF NEW YORK  
 COUNTY OF BRONX HOUSING PART M

2229 Creston LLC

Petitioner(s)

(-against-)

Respondent(s)

Joci Belgado

INDEX NO.

47671/10

HON.

Villella

DATED

5/31/11 7/11/11

PREMISES

2229 Creston

APT #

17

**STIPULATION OF SETTLEMENT**

The parties understand that each party has the right to a trial, the right to see a judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation of settlement of the issues in this matter.

**IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED BY THE PARTIES HERE TO THAT:**

Petition amended to include all rent through \_\_\_\_\_ in the sum of \$ \_\_\_\_\_. Respondent(s) consents to a final judgment in the amount of \$ \_\_\_\_\_. Issuance of the warrant \_\_\_\_\_. Warrant shall issue/execute on default in payment.

Action settled, Respondent(s) agree to pay \$ \_\_\_\_\_ by \_\_\_\_\_

Default shall authorize Petitioner to restore for appropriate relief on \_\_\_\_\_ days written notice by regular mail.

Respondent(s) agrees to timely pay future rent as it becomes due. All monies received will first be applied to current rent and the remainder to arrears. Petitioner may accept partial payment without prejudice. Upon default, Marshal's Notice required, remail only. Tenant acknowledges that the condition of the premises is satisfactory.

Case adjourned to 9/7/11 at 9:30am for Petitioner to  
review Section 8 information and make adjustments, if necessary,  
for trial. NYCHA Section 8 is still under subpoena.  
9:32 AM Sharp!

Petitioner by: \_\_\_\_\_

Respondent(s): \_\_\_\_\_

Attorneys for Petitioner  
**DAVID L. MOSS & ASSOCIATES**  
 370 LEXINGTON AVENUE, SUITE 2102  
 NEW YORK, NY 10017  
 TEL: (212) 566-6780  
 FAX: (212) 937-4682



THIS DOCUMENT HAS A COLORED BACKGROUND AND MICROPRINTING. THE REVERSE SIDE INCLUDES AN ARTIFICIAL WATERMARK.

**Tower Numerics Inc**  
1060 Waltham Street, Suite 430  
Lexington, MA 02421

Bank of America  
1701 Massachusetts Ave  
Lexington, MA 02420

22052

DATE 08/03/2011

Reference:

PAY Joel Delgado

\$ **\*\*2,000.00**

TWO-THOUSAND AND 00/100\*\*\*\*\* DOLLARS


TO THE Joel Delgado  
ORDER  
OF

Visa Approved

*[Handwritten Signature]*

[Redacted]

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram.**  INTERNATIONAL MONEY ORDER 03/03/2011 75-53 919

**Money Orders**

**202700002036**

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: John Leon

ADDRESS: / DIRECCION: 326 Bay St Apopka Fl 32712

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528145998459  
2758000284080203

TO AUTHENTICATE RUB/CIRCLE PARA AUTENTICAR RESTREGAR EL CIRCULO

9:09 19 16 18 71:2027 00002036 90


**202700002036**

▼ ▼ PAY ONLY THIS AMOUNT ▼ ▼

**\*\$978.40\***

NINE HUNDRED SEVENTY EIGHT DOLLARS IN CENTS WORDS

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram.**  INTERNATIONAL MONEY ORDER 03/03/2011 75-53 919

**Money Orders**

**202700002058**

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: John Leon

ADDRESS: / DIRECCION: 326 Bay St Apopka Fl 32712

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528145998459  
2758000284080205

TO AUTHENTICATE RUB/CIRCLE PARA AUTENTICAR RESTREGAR EL CIRCULO

9:09 19 16 18 71:2027 00002058 90


**202700002058**

▼ ▼ PAY ONLY THIS AMOUNT ▼ ▼

**\*\$978.40\***

NINE HUNDRED SEVENTY EIGHT DOLLARS IN CENTS WORDS

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram.**  INTERNATIONAL MONEY ORDER 03/03/2011 75-53 919

**Money Orders**

**202700002047**

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: John Leon

ADDRESS: / DIRECCION: 326 Bay St Apopka Fl 32712

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528145998459  
2758000284080204

TO AUTHENTICATE RUB/CIRCLE PARA AUTENTICAR RESTREGAR EL CIRCULO

9:09 19 16 18 71:2027 00002047 90

**202700002047**

▼ ▼ PAY ONLY THIS AMOUNT ▼ ▼

**\*\$978.40\***

NINE HUNDRED SEVENTY EIGHT DOLLARS IN CENTS WORDS

Page 26

Lower Numerica Inc  
1060 Waltham Street, Suite 430  
Lexington, MA 02421

Bank of America  
1781 Massachusetts Ave  
Lexington, MA 02420

22052

DATE 08/03/2011

Reference:

PAY Joel Delgado

\$ \*\*2,000.00

TWO-THOUSAND AND 00/100\*\*\*\*\* DOLLARS

TO THE  
ORDER  
OF Joel Delgado

Venue Approved

*Jose Delgado*

[Redacted Signature Area]

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

INDEX NO. 047671/0010  
SEQ NO. 003

ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT AND TO RESTORE TO THE CALENDAR

2229 CRESTON

AGAINST  
DELGADO/NYCHA

UPON THE ANNEXE  
THE ABOVE NAMED RESP  
AND UPON ALL THE PAP

LET THE PETITIO  
MOTION TERM OF THE

CJ  
HC  
LC  
OF

STON AVENUE 17  
NY 104530002

EL DELGADO/NYCHA.  
MER 07, 2011.

NEY(S) SHOW CAUSE AT A

YORK

SE, BRONX  
AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
ATTORNEY (OR PARTY)

(JUDGE TO INITIAL)

BY PERSONAL SERVICE "IN HAND DELIVERY"  
BY CERTIFIED MAIL, R. R. R.  
BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE

ON OR BEFORE

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

MARSHAL:

(JUDGE TO INITIAL)

BY PERSONAL SERVICE "IN HAND DELIVERY"  
BY CERTIFIED MAIL, R. R. R.  
BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE

SHALL BE DEEMED GOOD AND SUFFICIENT.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE STE 2102  
NEW YORK, NY 10017  
TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET  
BRONX, NY 10470  
TELEPHONE: (718) 654-3000

LOUIS J. VILLELLA  
JUDGE, CIVIL/HOUSING COURT

DATE

CREATED: 09/07/2011 @ 13:00:20

CIV-LT-71 (REVISED 7/99)

(PLEASE PRESS HARD)

Index No. LT

47671 / 20 10

against

Petitioner,

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and  
**TO RESTORE TO THE CALENDAR**

Address:

2229 Creston Ave  
Bronx, NY 10453 Apt. 17

Delgado / MYCHA  
Respondent

State of New York, County of

SS..

, being duly sworn, deposes and says:

Tenant's Initials

(Print Your Name)

1.  
PARTY

SV  
SV

- a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the  
of the tenant named above.

2.  
SERVICE  
and ANSWER

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and  
received a date for trial.  
I received a Holdover Notice of Petition and Petition and the date had already passed.

3.  
EXCUSE

- On the Date of Trial before Judge \_\_\_\_\_  
a) a Judgment was entered against me by default for my *failure to appear*. My reason for not appearing in  
Court on the date scheduled for (Trial) (Motion) is: \_\_\_\_\_  
b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order  
of the Court because: \_\_\_\_\_

4.  
DEFENSE

I allege that I have a good defense because:

- I was improperly served. \_\_\_\_\_ petitioner is not the owner.  
the amount being claimed is incorrect. \_\_\_\_\_ no rent was demanded.  
there is credit due for rent overcharge. \_\_\_\_\_ the rent has been partially/fully paid.\*  
the rent has been offered and refused. \_\_\_\_\_ I have been harassed.  
there are conditions in the apartment which need repair, or services which have not been provided.  
\*Explain rent payments, if any, or other defense: *cause didn't know court*

*today*  
*need another court day* *was today I live in the Apartment Joel Delgado proved*  
*I want to pay it in money after another car.*

5.  
REQUEST

I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted  
permission to serve these papers in person.

6.  
PRIOR  
ORDER

- a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further  
application because: \_\_\_\_\_

Sworn to before me this

day of

9 2011

Signature of Respondent

Signature of Court Employee and Title

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

INDEX NO. 047671/2010  
SEQ NO. 003

ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT AND TO RESTORE TO THE CALENDAR

2229 CRESTON

PARTNERS  
PETITIONER(S),

AGAINST

DELGADO/NYCHA

JOEL  
RESPONDENT(S)

PREMISES:

2229 CRESTON AVENUE 17  
BRONX NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON SEPTEMBER 07, 2011,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK  
HOUSING PART: PART M, RM. 460  
LOCATED AT: 1118 GRAND CONCOURSE, BRONX  
ON: SEPTEMBER 21, 2011 AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST:

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),

ATTORNEY(OR PARTY)

MARSHAL:

(JUDGE TO INITIAL)

(JUDGE TO INITIAL)

\_\_\_ BY PERSONAL SERVICE "IN HAND DELIVERY"

\_\_\_ BY PERSONAL SERVICE "IN HAND DELIVERY"

\_\_\_ BY CERTIFIED MAIL, R. R. R.

\_\_\_ BY CERTIFIED MAIL, R. R. R.

\_\_\_ BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE

\_\_\_ BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE

ON OR BEFORE

SHALL BE DEEMED GOOD AND SUFFICIENT.

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE STE 2102  
NEW YORK, NY 10017  
TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET  
BRONX, NY 10470  
TELEPHONE: (718) 654-3000

LOUIS J. VILLELLA  
JUDGE, CIVIL/HOUSING COURT

DATE

FILED  
GENERATED: 09/07/2011 @ 13:00:20

CIV-LT-71 (REVISED 7/99)

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

INDEX NO. 047571/2010  
SEC NO. 004

ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT, AND TO RESTORE TO THE CALENDAR

2229 CRESTON

PARTNERS  
PETITIONER(S),

AGAINST

DELGADO NYCHA

JOEL  
RESPONDENT(S)

PREMISES:

2229 CRESTON AVENUE 17  
BRONX NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON SEPTEMBER 12, 2011,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
NOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK  
HOUSING PART: PART II, RM. 460  
LOCATED AT: 1110 GRAND CONCOURSE, BRONX  
ON: SEPTEMBER 26, 2011, AT 09:30 AM

IF AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
ATTORNEY (OR PARTY)

(JUDGE TO INITIAL)

☒ BY PERSONAL SERVICE "IN HAND DELIVERY"

☒ BY CERTIFIED MAIL, R. R. R.

☒ BY FIRST CLASS MAIL WITH CERTIFICATE

OF MAILING AT POST OFFICE

ON OR BEFORE

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

MARSHAL:

(JUDGE TO INITIAL)

☒ BY PERSONAL SERVICE "IN HAND DELIVERY"

☒ BY CERTIFIED MAIL, R. R. R.

☒ BY FIRST CLASS MAIL WITH CERTIFICATE

OF MAILING AT POST OFFICE

SHALL BE DEEMED GOOD AND SUFFICIENT

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE STE 2102  
NEW YORK, NY 10017  
TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET  
BRONX, NY 10470  
TELEPHONE: (718) 654-3000

DATE

LOUIS E. VILLELLA  
JUDGE, CIVIL/HOUSING COURT

RECEIVED

RECORDED: 09/12/2011 @ 12:26:58

CIVIL-71 (REVISED 7/99)

Civil Court of the City of New York *FMA*

COUNTY OF \_\_\_\_\_

Housing Part

(PLEASE PRESS HARD)

Index No. LT \_\_\_\_\_

47671/2010

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and  
**TO RESTORE TO THE CALENDAR**

*Petitioner,*  
against

Address: \_\_\_\_\_

2229 Creston Ave Apt. 17

State of New York, County of \_\_\_\_\_ SS.: \_\_\_\_\_

*Juan Velilla*  
(Print Your Name)

being duly sworn, deposes and says:

## Tenant's Initials

1.  
PARTY

- JV* a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the \_\_\_\_\_  
of the tenant named above.

2.  
SERVICE  
and ANSWER

- \_\_\_\_\_ I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.  
\_\_\_\_\_ I received a Holdover Notice of Petition and Petition and the date had already passed.

3.  
EXCUSE

- On the Date of Trial before Judge \_\_\_\_\_  
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: \_\_\_\_\_  
*JV* b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because: \_\_\_\_\_

4.  
DEFENSE

I allege that I have a good defense because:

- \_\_\_\_\_ I was improperly served. \_\_\_\_\_ petitioner is not the owner.  
\_\_\_\_\_ the amount being claimed is incorrect. \_\_\_\_\_ no rent was demanded.  
\_\_\_\_\_ there is credit due for rent overcharge. \_\_\_\_\_ the rent has been partially/fully paid.\*  
\_\_\_\_\_ the rent has been offered and refused. \_\_\_\_\_ I have been harassed.  
\_\_\_\_\_ there are conditions in the apartment which need repair, or services which have not been provided

\*Explain rent payments, if any, or other defense: \_\_\_\_\_

5.  
REQUEST

- JV* I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6.  
PRIOR  
ORDER

- JV* a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: \_\_\_\_\_

Sworn to before me this \_\_\_\_\_ day of \_\_\_\_\_

Signature of Court Employer and Title

Signature of Respondent



COUNTY OF BRONX HOUSING PART M2229 Creston LLC

Petitioner(s)

(-against-)

Respondent(s)

Joel DelgadoINDEX NO. 47671/10HON. VillalobosDATED 9/26/11 ~~11/19/11~~ ~~8/27/11~~PREMISES 2229 CrestonAPT # 17**STIPULATION OF SETTLEMENT**

The parties understand that each party has the right to a trial, the right to see a judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation of settlement of the issues in this matter.

**IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED BY THE PARTIES HERE TO THAT:**

Petition amended to include all rent through \_\_\_\_\_ in the sum of \$ \_\_\_\_\_. Respondent(s) consents to a final judgment in the amount of \$ \_\_\_\_\_. Issuance of the warrant \_\_\_\_\_

\_\_\_\_\_. Warrant shall issue/execute on default in payment.

Action settled, Respondent(s) agree to pay \$ \_\_\_\_\_ by \_\_\_\_\_

Default shall authorize Petitioner to restore for appropriate relief on \_\_\_\_\_ days written notice by regular mail.

Respondent(s) agrees to timely pay future rent as it becomes due. All monies received will first be applied to current rent and the remainder to arrears. Petitioner may accept partial payment without prejudice. Upon default, Marshal's Notice required, remail only. Tenant acknowledges that the condition of the premises is satisfactory.

Case adjourned to 11/25/11 for trial. Petitioner to re-subpoena  
NYCHA Section 8 ~~11/17/11~~

Petitioner by [Signature]Respondent(s): [Signature]

Attorneys for Petitioner  
**DAVID L. MOSS & ASSOCIATES**  
 370 LEXINGTON AVENUE, SUITE 2102  
 NEW YORK, NY 10017  
 TEL: (212) 566-6780  
 FAX: (212) 937-4682

No tenants rights

CIVIL COURT OF THE CITY OF NEW YORK  
 COUNTY OF BRONX  
 HOUSING PART M, RM. 460  
 SEPTEMBER 26, 2011

INDEX NO. 047671/2010  
 MOTION SEQUENCE NO.: 004

2229 CRESTON	PARTNERS	DECISION/ORDER
	PETITIONER(S),	
AGAINST		PRESENT:
DELGADO/NYCHA	JOEL	LOUIS J. VILLELLA
	RESPONDENT(S)	JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE REVIEW OF THIS OSC TO VACATE DEFAULT JUDGMENT/RESTORE TO THE CALENDAR

PAPERS	NUMBERED
NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....	_____
ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED....	_____
ANSWERING AFFIDAVITS.....	_____
REPLYING AFFIDAVITS.....	_____
EXHIBITS.....	_____
STIPULATIONS.....	_____
OTHER _____	_____

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS AS FOLLOWS:

*11/1/11 DWM*  
*all stays vacated*

*11-1-11*  
 DATE

*[Signature]*  
 JUDGE, CIVIL/HOUSING COURT

ADJOURNMENTS

_____	_____	_____	_____	_____	_____
-------	-------	-------	-------	-------	-------

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

INDEX NO. 047671/2010

SEQ NO. 006

ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT AND TO RESTORE TO THE CALENDAR

2229 CRESTON

PARTNERS

PETITIONER(S),

AGAINST

DELGADO/NYCHA

JOEL

RESPONDENT(S)

PREMISES:

2229 CRESTON AVENUE

17

BRONX

NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON FEBRUARY 21, 2012,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK

HOUSING PART: PART M, RM. 460

LOCATED AT: 1118 GRAND CONCOURSE, BRONX

ON: MARCH 05, 2012, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
ATTORNEY(OR PARTY)

(JUDGE TO INITIAL)

MARSHAL:

\_\_\_BY PERSONAL SERVICE "IN HAND DELIVERY"

(JUDGE TO INITIAL)

\_\_\_BY CERTIFIED MAIL, R. R. R.

\_\_\_BY PERSONAL SERVICE "IN HAND DELIVERY"

\_\_\_BY FIRST CLASS MAIL WITH CERTIFICATE

\_\_\_BY CERTIFIED MAIL, R. R. R.

OF MAILING AT POST OFFICE

\_\_\_BY FIRST CLASS MAIL WITH CERTIFICATE

OF MAILING AT POST OFFICE

ON OR BEFORE

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE STE 2100  
NEW YORK, NY 10017  
TELEPHONE: (212) 566-6700

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET  
BRONX, NY 10470  
TELEPHONE: (718) 654-3000

LOUIS J. VILLELLA  
JUDGE, CIVIL HOUSING COURT

DENIED

GENERATED: 02/21/2012 @ 13:14:34

CIV-LT-71 (REVISED 7/99)

HARD!

10

1. D  
D. M. J.

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and  
**TO RESTORE TO THE CALENDAR**

Address:

X 2229 Creston AveApt. 17

Respondent

State of New York, County of Brox SS.:X Juan Velilla

(Print Your Name)

, being duly sworn, deposes and says:

**Tenant's Initials**1.  
PARTYX JV

- a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the Cousin  
of the tenant named above.

2.  
SERVICE  
and ANSWER      

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.  
I received a Holdover Notice of Petition and Petition and the date had already passed.

3.  
EXCUSEX JV

- On the Date of Trial before Judge 2-11-12  
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is:

X JV

- b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because:

4.  
DEFENSE

I allege that I have a good defense because:

- |  |  |
|--|--|
| <u>      </u> I was improperly served.   | <u>      </u> petitioner is not the owner.             |
| <u>      </u> the amount being claimed is incorrect.   | <u>      </u> no rent was demanded.                    |
| <u>      </u> there is credit due for rent overcharge.   | <u>      </u> the rent has been partially/fully paid.* |
| <u>      </u> the rent has been offered and refused.   | <u>      </u> I have been harassed.                    |
| <u>      </u> there are conditions in the apartment which need repair, or services which have not been provided. |  |

On  
DMJ

- \* Explain rent payments, if any, or other defense: He is Puerto Rico  
Due to Grandmother's Death, went to back  
til 22

5.  
REQUESTX JV

- I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6.  
PRIOR  
ORDERX JV

- a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: It is RR

Sworn to before me this 21 day of Feb, 2017

Signature of Court Employee and Title

Signature of Respondent

\*\*\*\*\*  
 \*\*\*\*\*

CIVIL COURT OF THE CITY OF NEW YORK  
 COUNTY OF BRONX  
 HOUSING PART M, RM. 460  
 FEBRUARY 17, 2012

INDEX NO. 047671/2010  
 MOTION SEQUENCE NO.: 005

2229 CRESTON  
 AGAINST  
 DELGADO/NYCHA

PARTNERS  
 PETITIONER(S),  
 JOEL  
 RESPONDENT(S)

DECISION/ORDER

PRESENT:

LOUIS J. VILLELLA  
 JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE  
 REVIEW OF THIS OSC TO VACATE DEFAULT JUDGMENT/RESTORE TO THE CALENDAR

PAPERS

NUMBERED

NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....  
 ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED....  
 ANSWERING AFFIDAVITS.....  
 REPLYING AFFIDAVITS.....  
 EXHIBITS.....  
 STIPULATIONS.....  
 OTHER.....

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS  
 AS FOLLOWS:

*Respondent's motion is granted to the following extent  
 over petitioner's objection. Respondent acknowledges owing  
 \$24,258.59 in rental arrears through Feb. 29, 2012.  
 Execution of the warrant is stayed through Feb. 27, 2012,  
 for payment of \$24,258.59.*

*MDN/mr. All stays rescinded.  
 Marshal's notice may be  
 2-17-12 re-mailed forthwith.*

DATE

JUDGE, CIVIL/HOUSING COURT

*2-21-12*

ADJOURNMENTS

## Civil Court of the City of

COUNTY OF BronxHousing Part M

(PLEASE PRESS HARD)

47671-10

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and  
**TO RESTORE TO THE CALENDAR**

Address: 2229 Cresson AveApt. 17

Petitioner,  
against  
Respondent

Delgado/Mycha

Respondent

State of New York, County of Bronx SS.:Juan Velilla

(Print Your Name)

, being duly sworn, deposes and says:

**Tenant's Initials**1. **PARTY**J.V.

a) I am the tenant named as respondent in the above summary proceeding.

b) I am the person claiming possession to these premises and am the friend, supposed to be on lease.2. **SERVICE and ANSWER**

I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.

I received a Holdover Notice of Petition and Petition and the date had already passed.

3. **EXCUSE**

On the Date of Trial before Judge \_\_\_\_\_

a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: \_\_\_\_\_

b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because: \_\_\_\_\_

4. **DEFENSE**

I allege that I have a good defense because:

I was improperly served.

the amount being claimed is incorrect.

there is credit due for rent overcharge.

the rent has been offered and refused.

there are conditions in the apartment which need repair, or services which have not been provided.

\*Explain rent payments, if any, or other defense: I've been in and out the hospital by been in Hospital due to major car accident he has the money order just wants reschedule

5. **REQUEST**

I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6. **PRIOR ORDER**

a) I have not had a previous Order to Show Cause regarding this index number.

b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: \_\_\_\_\_

Sworn to before me this Feb 6 day of 2017

Signature of Court Employee and Title

Signature of Respondent

2229 CRESTON  
 AGAINST PETITIONER(S)  
 DELGADO/NYCHA JOEL  
 RESPONDENT(S) PREMISES:  
 2229 CRESTON AVENUE 17  
 BRONX NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
 THE ABOVE NAMED RESPONDENT(S), SWORN TO ON FEBRUARY 01, 2012,  
 AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
 MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK  
 HOUSING PART: PART M, RM.460  
 LOCATED AT: 1118 GRAND CONCOURSE, BRONX  
 ON: FEBRUARY 17, 2012, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
 RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
 AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
 HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
 PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
 ATTORNEY(OR PARTY)

(JUDGE TO INITIAL)

☒ BY PERSONAL SERVICE "IN HAND DELIVERY"  
☒ BY CERTIFIED MAIL, R. R. R.  
☒ BY FIRST CLASS MAIL WITH CERTIFICATE  
 OF MAILING AT POST OFFICE

ON OR BEFORE 2/17/12, SHALL BE DEEMED GOOD AND SUFFICIENT.  
 PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

MARSHAL:

(JUDGE TO INITIAL)

☒ BY PERSONAL SERVICE "IN HAND DELIVERY"  
☒ BY CERTIFIED MAIL, R. R. R.  
☒ BY FIRST CLASS MAIL WITH CERTIFICATE  
 OF MAILING AT POST OFFICE

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
 OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
 370 LEXINGTON AVENUE STE 2102  
 NEW YORK, NY 10017  
 TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
 29 EAST 233RD STREET  
 BRONX, NY 10470  
 TELEPHONE: (718) 654-3000

DATE 2/1/12

LOUIS J. VILLELLA  
 JUDGE, CIVIL/HOUSING COURT

DENIED

GENERATED: 02/01/2012 @ 14:49:49

CIV-LT-71 (REVISED 7/99)

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

INDEX NO. 047671/2010

SEQ NO. 007

ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT AND TO RESTORE TO THE CALENDAR

2229 CRESTON

PARTNERS  
PETITIONER(S),

AGAINST

DELGADO/NYCHA

JOEL  
RESPONDENT(S)

PREMISES:

2229 CRESTON AVENUE 17  
BRONX NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON FEBRUARY 23, 2012,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK  
HOUSING PART: PART M, RM. 460  
LOCATED AT: 1118 GRAND CONCOURSE, BRONX  
ON: MARCH 08, 2012, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
ATTORNEY(OR PARTY) MARSHAL:  
(JUDGE TO INITIAL) (JUDGE TO INITIAL)  
\_\_\_ BY PERSONAL SERVICE "IN HAND DELIVERY" \_\_\_ BY PERSONAL SERVICE "IN HAND DELIVERY"  
\_\_\_ BY CERTIFIED MAIL, R. R. R. \_\_\_ BY CERTIFIED MAIL, R. R. R.  
\_\_\_ BY FIRST CLASS MAIL WITH CERTIFICATE \_\_\_ BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE OF MAILING AT POST OFFICE  
ON OR BEFORE \_\_\_\_\_, SHALL BE DEEMED GOOD AND SUFFICIENT.  
PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:  
DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE STE 2102  
NEW YORK, NY 10017  
TELEPHONE: (212) 566-6780

MARSHAL:  
JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET  
BRONX, NY 10470  
TELEPHONE: (718) 654-3000

DATE

LOUIS J. VILLELLA  
JUDGE, CIVIL/HOUSING COURT

DENIED

GENERATED: 02/23/2012 @ 13:58:28

CIV-LT-71 (REVISED 7/99)



VS DELGADO/NYCHA

JOEL

APPL: 7

\$7,840.60 PETN ATTY: DAVID MOSS &amp; ASSOCIATES

FILING DTE FILING TYPE CASE TYPE1 CASE TYPE2 CASE TYPE3  
 08/31/2010 PET/NP RESDT NON-PAY

PETITIONER:

2229 CRESTON PARTNERS LLC

RESPONDENT:

DELGADO

NYCHA

JOEL

PREMISES ADDRESS:

2229 CRESTON AVENUE 17  
 BRONX NY 10453

DESCRIPTION:

17

01/27/2011	001	OSC	BY RESP SIGNED BY	LJV	02/10/2011	M	09:30A	
			VACATE DEFAULT JUDGMENT					
			ASSIGN TO PART M					
02/10/2011	001	CLN	M	09:30A	ADJN	03/02/2011	M	09:30A LJV OSC
03/02/2011	002	CLN	M	09:30A	ADJN	03/23/2011	M	09:30A LJV OSC
03/23/2011	003	CLN	M	09:30A	ADJN	04/19/2011	M	09:30A LJV OSC
04/19/2011	004	CLN	M	09:30A	ADJN	05/11/2011	M	09:30A LJV OSC
05/11/2011	005	CLN	M	09:30A	DNAM			LJV OSC
05/13/2011	002	OSC	BY RESP SIGNED BY	LJV	05/31/2011	M	09:30A	
			VACATE JUDGMENT					
05/31/2011	001	CLN	M	09:30A	ADJN	07/11/2011	M	09:30A LJV OSC
07/11/2011	002	CLN	M	09:30A	ADJN	09/07/2011	M	09:30A LJV OSC
09/07/2011	003	CLN	M	09:30A	DNAM			LJV OSC
09/07/2011	003	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
09/12/2011	004	OSC	BY RESP SIGNED BY	LJV	09/26/2011	M	09:30A	
			VACATE JUDGMENT					
09/26/2011	001	CLN	M	09:30A	ADJN	11/01/2011	M	09:30A LJV OSC
11/01/2011	002	CLN	M	09:30A	DNAM			LJV OSC
02/01/2012	005	OSC	BY RESP SIGNED BY	LJV	02/17/2012	M	09:30A	
			VACATE JUDGMENT					
02/17/2012	001	CLN	M	09:30A	ADJN	02/21/2012	M	09:30A LJV OSC
02/21/2012	002	CLN	M	09:30A	DNAM			LJV OSC
02/21/2012	006	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
02/23/2012	007	OSC	BY RESP SIGNED BY	LJV	03/08/2012	M	09:30A	
			VACATE JUDGMENT					
03/08/2012	001	CLN	M	09:30A				OSC
12/23/2010	001		WAR WARRANT REQUESTED					
01/03/2011	001		FJD PAPERS REVIEWED					
01/03/2011	001		FJD SUBMITTED TO AL	FAIL TO ANSWER				
01/03/2011	001		WAR WARRANT REVIEWED					
01/12/2011	001		FJD SIGNED BY AL					
			FAIL TO ANSR/					
			DOSS CHARGED V MONEY GUARD					

JUDGMENT AGAINST:

DELGADO

01/12/2011 001

WAR WARRANT ISSUED

JOHN VILLANUEVA-BADGE #36

EXECUTION IS AS PER STIP/ORDER

AGAINST:

DELGADO

JOEL

JOEL

47671/10

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and  
**TO RESTORE TO THE CALENDAR**

Address: 2224 CRESTONVE  
BRONX NY 10457 Apt 17

Petitioner,  
against  
Respondent

Delgado

Respondent

State of New York, County of SS:X JOEL DELGADO

being duly sworn, deposes and says:

Tenant's Initials

(Print Your Name)

## 1. PARTY

- a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the  
of the tenant named above.

## 2. SERVICE and ANSWER

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.  
I received a Holdover Notice of Petition and Petition and the date had already passed.

## 3. EXCUSE

- On the Date of Trial before Judge  
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: X Was In the Hospital  
b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because:

## 4. DEFENSE

I allege that I have a good defense because:

- I was improperly served.  
the amount being claimed is incorrect.  
there is credit due for rent overcharge.  
the rent has been offered and refused.  
there are conditions in the apartment which need repair, or services which have not been provided.  
petitioner is not the owner.  
no rent was demanded.  
the rent has been partially/fully paid.  
I have been harassed.

\* Explain rent payments, if any, or other defense: I don't owe that  
rent

## 5. REQUEST

- I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

## 6. PRIOR ORDER

- a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because:

Sworn to before me this

day of

20

12

X JOEL DELGADO

Signature of Respondent

Signature of Court Employee and Date

CIVIL COURT OF THE CITY OF NEW YORK  
 COUNTY OF BX HOUSING PART M

2229 CRESTON

Petitioner(s)

(-against-)

Respondent(s)

JOEL DEIGADO

INDEX NO. 47671/10  
 HON. VIII E112  
 DATED PER PPI 3/13/12  
 PREMISES 2229 CRESTON  
 APT # 17

#### STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation of settlement of the issues in this matter.

#### IT IS HEREBY STIPULATED, CONSENTED TO AND AGREED BY THE PARTIES HERE TO THAT:

Petition amended to include all rent through \_\_\_\_\_ in the sum of \$ \_\_\_\_\_. Respondent(s) consents to a final judgment in the amount of \$ \_\_\_\_\_. Issuance of the warrant \_\_\_\_\_

Warrant shall issue/execute on default in payment.

Action settled, Respondent(s) agree to pay \$ \_\_\_\_\_ by \_\_\_\_\_

Default shall authorize Petitioner to restore for appropriate relief on \_\_\_\_\_ days written notice by regular mail.

Respondent(s) agrees to timely pay future rent as it becomes due. All monies received will first be applied to current rent and the remainder to arrears. Petitioner may accept partial payment without prejudice. Upon default, Marshal's Notice required, remail only. Tenant acknowledges that the condition of the premises is satisfactory.

Case adjourned to 4/15/12 for trial at 9:30 am.

Petitioner by: [Signature]

Attorneys for Petitioner  
 DAVID L. MOSS & ASSOCIATES  
 370 LEXINGTON AVENUE, SUITE 2102  
 NEW YORK, NY 10017  
 TEL: (212) 566-6780  
 FAX: (212) 937-4682

Respondent(s): [Signature]

No tenancy rights

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX  
HOUSING PART M, RM. 460  
MARCH 13, 2012

INDEX NO. 047671/2010  
MOTION SEQUENCE NO.: 008

2229 CRESTON	PARTNERS	DECISION/ORDER
	PETITIONER(S),	
AGAINST		PRESENT:
DELGADO/NYCHA	JOEL	LOUIS J. VILLELLA
	RESPONDENT(S)	JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE REVIEW OF THIS OSC TO VACATE DEFAULT JUDGMENT/RESTORE TO THE CALENDAR

PAPERS	NUMBERED
NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....	_____
ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED....	_____
ANSWERING AFFIDAVITS.....	_____
REPLYING AFFIDAVITS.....	_____
EXHIBITS.....	_____
STIPULATIONS.....	_____
OTHER_____	_____

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS AS FOLLOWS:

*4-24-12 MDNAM all stays vacated  
Haupt's notice by mail  
[Signature]*

DATE

JUDGE, CIVIL/HOUSING COURT

ADJOURNMENTS

*4-24-12* | | | | | | |

11/15/17

COUNTY OF

Housing Part

PLEASE PRESS HARD

47671/10

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and

**TO RESTORE TO THE CALENDAR**

Address: X 2229 Creston AveApt. 17

Petitioner,

against

Respondent

Delgado

State of New York, County of max SS.:

Tenant's Initials

(Print Your Name)

1. **PARTY** X JD a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the \_\_\_\_\_  
of the tenant named above.

2. **SERVICE and ANSWER** X JD I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.  
I received a Holdover Notice of Petition and Petition and the date had already passed.

3. **EXCUSE** \_\_\_\_\_ On the Date of Trial before Judge \_\_\_\_\_  
a) a Judgment was entered against me by default for my *failure to appear*. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: \_\_\_\_\_

X JD b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because: Attach Payment of my share section & didn't pay they share costs of repairs

4. **DEFENSE** I allege that I have a good defense because:  
\_\_\_\_\_ I was improperly served. \_\_\_\_\_ petitioner is not the owner.  
\_\_\_\_\_ the amount being claimed is incorrect. \_\_\_\_\_ no rent was demanded.  
\_\_\_\_\_ there is credit due for rent overcharge. \_\_\_\_\_ the rent has been partially/fully paid.\*  
\_\_\_\_\_ the rent has been offered and refused. \_\_\_\_\_ I have been harassed.  
\_\_\_\_\_ there are conditions in the apartment which need repair, or services which have not been provided.

JD \*Explain rent payments, if any, or other defense: Rent Amount is wrong I do not owe that amount

5. **REQUEST** X JD I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6. **PRIOR ORDER** X JD a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: cause I was in the hospital

Sworn to before me this 28 day of Feb, 20 17

Signature of Respondent

Signature of Court Employee and Title

2229 CRESTON

PARTNERS

PETITIONER(S).

AGAINST

DELGADO/NYCHA

JOEL

RESPONDENT(S)

PREMISES:

2229 CRESTON AVENUE  
BRONX

17

NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON FEBRUARY 28, 2012,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

DELGADO/NYCHA,

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK  
HOUSING PART: PART M, RM. 460  
LOCATED AT: 1118 GRAND CONCOURSE, BRONX  
ON: MARCH 13, 2012, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
ATTORNEY(OR PARTY)

MARSHAL:

(JUDGE TO INITIAL)

(JUDGE TO INITIAL)

~~BY PERSONAL SERVICE "IN HAND DELIVERY"~~~~BY PERSONAL SERVICE "IN HAND DELIVERY"~~~~BY CERTIFIED MAIL, R. R. R.~~~~BY CERTIFIED MAIL, R. R. R.~~~~BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE~~~~BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE~~

ON OR BEFORE 2/29/12, SHALL BE DEEMED GOOD AND SUFFICIENT.  
PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE STE 2103  
NEW YORK, NY 10017  
TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET  
BRONX, NY 10470  
TELEPHONE: (718) 654-3000

DATE

LOUIS J. VILLELLA  
JUDGE, CIVIL/HOUSING COURT

DENIED

GENERATED: 02/28/2012 @ 15:23:47

CIV-LT-71 (REVISED 7/99)

CASE: 047671/2010

PARTNERS

VS DELGADO

2229 CRESTON

NO OF RESP OSC APPL: 8  
 AMT DMD: \$7,840.60 PETN ATTY: DAVID MOSS & ASSOCIATES  
 FILING DTE FILING TYPE CASE TYPE1 CASE TYPE2 CASE TYPE3  
 08/31/2010 PET/NA RESDT NON-PAY

PETITIONER:

2229 CRESTON PARTNERS LLC

RESPONDENT:

DELGADO

JOEL

NYCHA

PREMISES ADDRESS:

2229 CRESTON AVENUE 17

BRONX NY 10453

DESCRIPTION:

17

01/27/2011	001	OSC	BY RESP SIGNED BY	LJV	02/10/2011	M	09:30A	
			VACATE DEFAULT JUDGMENT					
			ASSIGN TO PART M					
02/10/2011	001	CLN M	09:30A	ADJN	03/02/2011	M	09:30A	LJV OSC
03/02/2011	002	CLN M	09:30A	ADJN	03/23/2011	M	09:30A	LJV OSC
03/23/2011	003	CLN M	09:30A	ADJN	04/19/2011	M	09:30A	LJV OSC
04/19/2011	004	CLN M	09:30A	ADJN	05/11/2011	M	09:30A	LJV OSC
05/11/2011	005	CLN M	09:30A	DNAM			LJV	OSC
05/13/2011	002	OSC	BY RESP SIGNED BY	LJV	05/31/2011	M	09:30A	
			VACATE JUDGMENT					
05/31/2011	001	CLN M	09:30A	ADJN	07/11/2011	M	09:30A	LJV OSC
07/11/2011	002	CLN M	09:30A	ADJN	09/07/2011	M	09:30A	LJV OSC
09/07/2011	003	CLN M	09:30A	DNAM			LJV	OSC
09/07/2011	003	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
09/12/2011	004	OSC	BY RESP SIGNED BY	LJV	09/26/2011	M	09:30A	
			VACATE JUDGMENT					
09/26/2011	001	CLN M	09:30A	ADJN	11/01/2011	M	09:30A	LJV OSC
11/01/2011	002	CLN M	09:30A	DNAM			LJV	OSC
02/01/2012	005	OSC	BY RESP SIGNED BY	LJV	02/17/2012	M	09:30A	
			VACATE JUDGMENT					
02/17/2012	001	CLN M	09:30A	ADJN	02/21/2012	M	09:30A	LJV OSC
02/21/2012	002	CLN M	09:30A	DNAM			LJV	OSC
02/21/2012	006	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
02/23/2012	007	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
02/28/2012	008	OSC	BY RESP SIGNED BY	LJV	03/13/2012	M	09:30A	
			VACATE JUDGMENT					
03/13/2012	001	CLN M	09:30A					OSC
02/23/2010	001		WAR WARRANT REQUESTED					
01/03/2011	001		FJD PAPERS REVIEWED					
01/03/2011	001		FJD SUBMITTED TO AL	FAIL TO ANSWER				
01/03/2011	001		WAR WARRANT REVIEWED					



THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC ABSORPTION OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER

75-53 919

02/01/2012 10384511375 MONEY ORDER-WM

▲ PAY ONLY THIS AMOUNT ▲

\*\$988.50\*

NINE HUNDRED EIGHTY DOLLARS 50 CENTS \*\*\*\*\*

98210023020001 268212 354121375

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

1151 S BAY RD, DOVER, DE 19901

Payable Through Citizens State Bank

ADDRESS: 1151 S BAY RD, DOVER, DE 19901

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR

IMPORTANT SEE BACK BEFORE CASHING

ORDER OF / PAGAR A LA ORDER DE: Juan Velilla

PAY TO THE ORDER OF / PAGAR A LA ORDER DE: Juan Velilla

98210023020001 268212 354121375

98210023020001 268212 354121375

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC ABSORPTION OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER

75-53 919

01/17/2012 10384512229 MONEY ORDER-WM

▲ PAY ONLY THIS AMOUNT ▲

\*\$985.00\*

NINE HUNDRED EIGHTY FIVE DOLLARS 00 CENTS \*\*\*\*\*

98210023020001 268212 354122229

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

12 MAIN ST BOSTON, MA 02129

Payable Through Citizens State Bank of Clarks City, MO

ADDRESS: 12 MAIN ST BOSTON, MA 02129

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR

IMPORTANT SEE BACK BEFORE CASHING


ORDER OF / PAGAR A LA ORDER DE: Juan Velilla

PAY TO THE ORDER OF / PAGAR A LA ORDER DE: Juan Velilla

98210023020001 268212 354122229

98210023020001 268212 354122229

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT

**MoneyGram**  INTERNATIONAL MONEY ORDER

Money Orders

0370372011

20270000204

MONEY ORDER - WM

▼ ▼ PAY ONLY THIS AMOUNT ▼ ▼

\*\$978.80

NINE HUNDRED SEVENTY EIGHT DOLLARS.00 CENTS\*\*\*\*\*

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGN FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR

PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCION: 326 Bay St Cape Girardeau Mo 63702

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528145998459

2758000284080204

TO AUTHENTICATE RUB CIRCLE PARA AUTENTICAR RESTREGAR EL CIRCULO

091916187:2027-00002047-90

INTERNATIONAL MONEY ORDER 03/03/2011 75-53 919  
Money Orders

Joel Delgado

\*9780810108  
NINE HUNDRED SEVENTY EIGHT  
DOLLARS/00 CENTS\*\*434343\*\*

20270000203  
MONEY ORDER - WM  
PAY ONLY THIS AMOUNT

ISSUER/DRAWER: JOEL DELGADO  
BANK: MONTEGRAM PAYMENT SYSTEMS, INC.  
324 Bay St. Appleton, WI 53212  
60528145998459  
2758000284080203  
TO AUTHENTICATE RUBRICATE  
PADA AUTENTICAR RESISTE A LA FALSA

INTERNATIONAL MONEY ORDER 03/03/2011 75-53 919  
Money Orders

Joel Delgado

\*9780810108  
NINE HUNDRED SEVENTY EIGHT  
DOLLARS/00 CENTS\*\*434343\*\*

20270000205  
MONEY ORDER - WM  
PAY ONLY THIS AMOUNT

ISSUER/DRAWER: JOEL DELGADO  
BANK: MONTEGRAM PAYMENT SYSTEMS, INC.  
324 Bay St. Appleton, WI 53212  
60528145998459  
2758000284080205  
TO AUTHENTICATE RUBRICATE  
PADA AUTENTICAR RESISTE A LA FALSA

191518712027 00002058190

INTERNATIONAL MONEY ORDER 01/17/2012 75-53 919  
Money Orders  
10384512229  
MONEY ORDER-WM

06 #B0822757 BE07:1287976760:1

TO AUTHENTICATE, RUB CHROME

12 MAIN ST BOSTON, MA 02129

12 MAIN ST BOSTON MA 02120

ISSUER/DRAWER,  
MONEYGRAM PAYMENT SYSTEMS, INC.

Payable Through  
Citizens State Bank  
of Clara City  
Clara City, MN

**PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR**  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

Missenden

**IMPORTANT SEE BACK BEFORE CASHING**

PAY TO THE  
ORDER OF:  
PAGAR A LA  
ORDEN DE:

R103845122808

# INTERNATIONAL MONEY ORDER



**MoneyGram.**  
Money Orders

THE FRONT OF THIS DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A FORGED DOCUMENT.

08

1038451228  
MONEY ORDER

▼ ▼ PAY ONLY THIS ▼

Page 6

NINE HUNDRED  
DOLLARS 00 CENTS

9821002302  
268212 354

**MoneyGram.**  INTERNATIONAL MONEY ORDER.

$$\begin{array}{r} 75.50 \\ \underline{919} \end{array}$$

02/01/2012

10384511376

MONEY ORDER-WMM

▼ PAY ONLY THIS AMOUNT ▼

\*  
\*  
**E**  
9  
8  
8  
dbs  
5  
0  
cfs

NINE HUNDRED EIGHTY EIGHT  
DOLLARS 50 CENTS \*\*\*\*\*

[illegible]

982100233020001  
268212354121376

**PARA AUTENTICAAR REGISTRE-SE EL CIRCUITO**

1151 S BAY RD, DOVER, DE 19901

ISSUER/DRAWER:  
MONEYGRAM PAYMENT SYSTEM, INC

DESIGNER FOR DRAWER / COMPRAADOR, FIRMA DEL LIBRADOR  
 LEYENDO TU ACUSE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

**IMPORTANT SEE BACK BEFORE CASHING**

4-

6.6

90 45213764 91916187:1038

THE DOCUMENT HAS A MICRO-PRINT ACCOUNT BOX AND THE MICROECONOMIC ABSENCE OF THESE FEATURES WILL INDICATE A COPY

**newGrim**  
  
**INTERNATIONAL MONEY ORDER**

916

## Money Orders

02/01/2012

10384511375

NEW YORK, NY 10003

# AMBULATORY SURGERY CENTER PRE-ADMISSION PATIENT INSTRUCTIONS

DELGADO, JOEL

2634877

DOB: 1985 (26 yrs)

Male

MD. KENNETH A EGOL, MD

A-1112

CSN: 488084876



1. IF YOU GET A COLD, COUGH, OR ANY ILLNESS PRIOR TO YOUR DATE OF SURGERY, NOTIFY YOUR PHYSICIAN.
2. YOU ARE SCHEDULED TO ARRIVE FOR SURGERY ON (DATE) 01-13-12  
☐ REPORT TO Room 105  
☐ CALL THE AMBULATORY SURGERY CENTER ON Thursday AFTER 5PM-8PM  
 AT THAT TIME YOU WILL BE ADVISED AS TO THE TIME TO REPORT FOR YOUR PROCEDURE/SURGERY.
3. DO NOT EAT OR DRINK ANYTHING AFTER 12 midnight ON THE DAY OF YOUR SURGERY.
4. YOU MAY BRUSH YOUR TEETH THE MORNING OF SURGERY BUT BE CAREFUL NOT TO SWALLOW ANY WATER.
5. IF YOUR MOUTH AND/OR THROAT FEEL DRY, YOU MAY GARGLE WITH WARM WATER OR MOUTHWASH. DO NOT SWALLOW ANY LIQUIDS OR ALLOW THROAT LOZENGES OR CANDY TO MELT IN YOUR MOUTH.
6. YOU MAY TAKE A SHOWER BUT DO NOT APPLY ANY OILS OR LOTIONS ON YOUR SKIN.
7. DO NOT BRING VALUABLES OR JEWELRY WITH YOU TO THE HOSPITAL.
8. IF YOU WEAR CONTACT LENSES, YOU MUST BRING THE LENS CONTAINER WITH YOU ON THE DAY OF YOUR SURGERY/PROCEDURE. YOU WILL NOT BE PERMITTED TO WEAR YOUR CONTACT LENSES TO THE OPERATING ROOM.
9. DO NOT WEAR MAKEUP OR NAIL POLISH. *Take inhalers*
10. WEAR LOOSE, COMFORTABLE CLOTHING AND LOW-HEELED SHOES.
11. ALL PATIENTS 17 YEARS OLD AND UNDER MUST HAVE A LEGALLY RESPONSIBLE ADULT ACCOMPANY THEM TO THE HOSPITAL AND HOME AFTER RECOVERY FROM SURGERY.
12. ALL ADULT PATIENTS MUST HAVE A RESPONSIBLE ADULT ACCOMPANY THEM HOME AFTER RECOVERY FROM SURGERY.
13. PLAN TO HAVE SOMEONE STAY WITH YOU 24 HOURS FOLLOWING YOUR SURGERY.
14. IF YOU TAKE ANY MEDICATIONS PRESCRIBED BY A PHYSICIAN YOU MUST CONTACT THE SURGEON. YOU WILL BE INFORMED AS TO WHETHER OR NOT YOU CAN TAKE THOSE MEDICATIONS BEFORE SURGERY.
15. IF YOU HAVE ANY CONCERNS OR QUESTIONS, PLEASE CALL YOUR PHYSICIAN OR THE AMBULATORY SURGERY CENTER AT: 212-598-6343 OR 212-598-6345. *after 5p*

PATIENT/SIGNIFICANT OTHER (SIGNATURE): *[Signature]*

RELATIONSHIP (IF OTHER THAN PATIENT): \_\_\_\_\_

COPY OF FORM GIVEN TO PATIENT BY (SIGNATURE): *[Signature]*

R.N.

DATE: 01-11-12

347 591 1527

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX: HOUSING PART M

2229 Creston Partners LLC,  
Petitioner,

Index No.: 047671/2010

Consent to Change Attorney

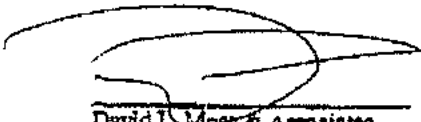
Against

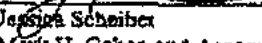
JOEL DELGADO,  
2229 Creston Avenue  
Apartment #17  
Bronx, NY 10453

Respondents.

It is hereby consented that Mark H. Cohen & Associates, P.C., located at 2406 Hoffman Street, Suite 3, Bronx, New York 10458 and telephone number of 718-933-1710 be substituted as attorneys of record for the Petitioner/undersigned in the above entitled action in place and stead of the undersigned attorneys as of the date hereof.

Date: May 2, 2012

  
David L. Moss & Associates  
370 Lexington Ave # 2102  
New York, NY 10017  
Phone: (212) 566-6780

  
Jessica Scheiber  
Mark H. Cohen and Associates, P.C.  
Attorneys for Petitioner  
2406 Hoffman Street  
Suite 3  
Bronx, New York 10458  
(718) 933 1710

  
2229 Creston Partners LLC  
By: Angela Gazivoda

## CIVIL COURT OF THE CITY OF NEW YORK

County of BronxDate 5/22/12 Part MIndex No. L&T: 47671/10  
Page 1 of 1  
Hon. Villette2229 Creston Partners  
Petitioner(s)  
againstJoel Delgado  
Respondent(s)  
2229 Creston Av 17

## STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

Party (please print)

Added/Amended  
or Deleted

Appearance

No Appearance

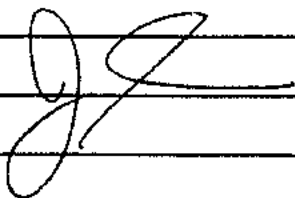
No Answer

Petitioner 2229 Creston PartnersRespondent 1 Joel DelgadoRespondent 2 NYCHA

Respondent 3

The matter is adjourned for all purposes to 7/2/12, MN60  
@ 9:30 AM.

Resp to visit LL's office with supporting documents to determine  
correct amount owed.



X JOEL DELGADO

## CIVIL COURT OF THE CITY OF NEW YORK

County of BrooklynDate 7/2/12Part MIndex No. L&T: 47671/10Page 1 of 1Hon. Villetta

2229 Creston Partners  
 Petitioner(s)  
 against

Joel Delgado  
 Respondent(s)  
2229 Creston Av 17

## STIPULATION OF SETTLEMENT

The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

Party (please print)

Petitioner 2229 Creston PartnersRespondent 1 Joel DelgadoRespondent 2 NYCHA

Respondent 3 \_\_\_\_\_

Added/Amended  
or Deleted

Appearance

No Appearance

No Answer

XXdeleted

The matter is adjourned for all purposes to 8/1/12, 9:30 AM.

LL to repair the following:

Access dates

1-Bedroom window broken

7/9, 7/10, 7/11

2-Kitchen cabinet

9am-5pm

3-Kitchen + bathroom pipes leak

works by 11AM

4-Front door lock jams

Complete in 30 days

5-Paint thru out

6-Floor tiles thru out

317-454-5740

7-Refrigerator doesn't work

8-A/c doesn't work

Resp to visit LL's office again to determine correct rent owed.

Resp has \$10,000 in money order's available when correct amount is determined.

Petition amended to date.



INDEX NO. 047671/2010  
MOTION SEQUENCE NO.: 009

LOUIS J. VILLELLA  
JUDGE

NUMBERED

---

---

---

---

---

~~11:30 AM, All pages stop at 11:30 AM~~

*R. J. Kurella, Jr.*  
JUDGE, CIVIL/HOUSING COURT

## ADJOURNMENTS

CIV-LT-85 (7/99) (REPLACES 43-2030)

RELEASE PRESS HARD

Index No. LT. 776 7/1/2010

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT**  
Based Upon a) Failure To Appear b) Failure to Comply  
and

**TO RESTORE TO THE CALENDAR**Address: 2229 Craston Ave  
Bronx, NY 10453 Apt. 17

2229 Craston  
Petitioner,  
against  
Delgado  
Respondent

State of New York, County of BB SS.:Tenant's Initials TD

(Print Your Name)

, being duly sworn, deposes and says:

1.  
PARTY

- a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the \_\_\_\_\_  
of the tenant named above.

2.  
SERVICE  
and ANSWER

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.  
I received a Holdover Notice of Petition and Petition and the date had already passed.

3.  
EXCUSE

- On the Date of Trial before Judge \_\_\_\_\_  
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: TD  
b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because: \_\_\_\_\_

4.  
DEFENSE

I allege that I have a good defense because:

- ☒ I was improperly served. ☒ petitioner is not the owner.  
☒ the amount being claimed is incorrect. \_\_\_\_\_ no rent was demanded.  
\_\_\_\_\_ there is credit due for rent overcharge. \_\_\_\_\_ the rent has been partially/fully paid.\*  
☒ the rent has been offered and refused. \_\_\_\_\_ I have been harassed.  
☒ there are conditions in the apartment which need repair, or services which have not been provided.

Explain rent payments, if any, or other defense: I have rent  
payments. Apartment need a lot of fixing  
and Rent Amount is wrong suppose to be less.5.  
REQUEST

I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6.  
PRIOR  
ORDER

- a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: \_\_\_\_\_

Sworn to before me this 3 day of May, 20 17

Signature of Court Employee and Title

Signature of Respondent

ORDER TO SHOW CAUSE TO VACATE DEFENDANT'S

2229 CRESTON

PARTNERS  
PETITIONER(S),AGAINST  
DELGADO/NYCHAJOEL  
RESPONDENT(S)PREMISES:  
2229 CRESTON AVENUE 17  
BRONX NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL DELGADO/NYCHA,  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON MAY 03, 2012,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN:

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK  
HOUSING PART: PART M, RM. 460  
LOCATED AT: 1118 GRAND CONCOURSE, BRONX  
ON: MAY 22, 2012, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
ATTORNEY(OR PARTY) MARSHAL:

(JUDGE TO INITIAL)

(JUDGE TO INITIAL)

☒ BY PERSONAL SERVICE "IN HAND DELIVERY"☒ BY PERSONAL SERVICE "IN HAND DELIVERY"☒ BY CERTIFIED MAIL, R. R. R.☒ BY CERTIFIED MAIL, R. R. R.☒ BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE☒ BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE

ON OR BEFORE

5/4/12, SHALL BE DEEMED GOOD AND SUFFICIENT.  
PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS & ASSOCIATES  
370 LEXINGTON AVENUE STE 2102  
NEW YORK, NY 10017  
TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET  
BRONX, NY 10470  
TELEPHONE: (718) 654-3000

DATE

LOUIS J. VILLELLA  
JUDGE, CIVIL/HOUSING COURT

DENIED

GENERATED: 05/03/2012 @ 15:50:50

## PROCEEDINGS

CASE: 047671/2010  
2229 CRESTON

PARTNERS

VS DELGADO/NYCHA

JOEL

NO OF RESP OSC APPL: 9

AMT DMD: \$7,840.60 PETN ATTY: DAVID MOSS &amp; ASSOCIATES

FILING DTE FILING TYPE CASE TYPE1 CASE TYPE2 CASE TYPE3  
08/31/2010 PET/NP RESDT NON-PAY

PETITIONER:

2229 CRESTON PARTNERS LLC

RESPONDENT:

DELGADO

JOEL

NYCHA

PREMISES ADDRESS:

2229 CRESTON AVENUE 17

BRONX NY 10453

DESCRIPTION:

17

01/27/2011	001	OSC	BY RESP SIGNED BY	LJV	02/10/2011	M	09:30A	
			VACATE DEFAULT JUDGMENT					
			ASSIGN TO PART M					
02/10/2011	001	CLN M	09:30A	ADJN	03/02/2011	M	09:30A	LJV OSC
03/02/2011	002	CLN M	09:30A	ADJN	03/23/2011	M	09:30A	LJV OSC
03/23/2011	003	CLN M	09:30A	ADJN	04/19/2011	M	09:30A	LJV OSC
04/19/2011	004	CLN M	09:30A	ADJN	05/11/2011	M	09:30A	LJV OSC
05/11/2011	005	CLN M	09:30A	DNAM			LJV	OSC
05/13/2011	002	OSC	BY RESP SIGNED BY	LJV	05/31/2011	M	09:30A	
			VACATE JUDGMENT					
05/31/2011	001	CLN M	09:30A	ADJN	07/11/2011	M	09:30A	LJV OSC
07/11/2011	002	CLN M	09:30A	ADJN	09/07/2011	M	09:30A	LJV OSC
09/07/2011	003	CLN M	09:30A	DNAM			LJV	OSC
09/07/2011	003	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
09/12/2011	004	OSC	BY RESP SIGNED BY	LJV	09/26/2011	M	09:30A	
			VACATE JUDGMENT					
09/26/2011	001	CLN M	09:30A	ADJN	11/01/2011	M	09:30A	LJV OSC
11/01/2011	002	CLN M	09:30A	DNAM			LJV	OSC
02/01/2012	005	OSC	BY RESP SIGNED BY	LJV	02/17/2012	M	09:30A	
			VACATE JUDGMENT					
02/17/2012	001	CLN M	09:30A	ADJN	02/21/2012	M	09:30A	LJV OSC
02/21/2012	002	CLN M	09:30A	DNAM			LJV	OSC
02/21/2012	006	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
02/23/2012	007	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
02/28/2012	008	OSC	BY RESP SIGNED BY	LJV	03/13/2012	M	09:30A	
			VACATE JUDGMENT					
03/13/2012	001	CLN M	09:30A	ADJN	04/24/2012	M	09:30A	LJV OSC
04/24/2012	002	CLN M	09:30A	DNAM			LJV	OSC
05/03/2012	009	OSC	BY RESP SIGNED BY	LJV	05/22/2012	M	09:30A	
			VACATE JUDGMENT					

08/17/2010  
2229 CRESTON

PARTNERS

VS DELGADO/NYCHA

JOEL

05/22/2012 001 CLN M 09:30A

DSC

12/23/2010 001 WAR WARRANT REQUESTED  
01/03/2011 001 FJD PAPERS REVIEWED  
01/03/2011 001 FJD SUBMITTED TO AL FAIL TO ANSWER  
01/03/2011 001 WAR WARRANT REVIEWED  
01/12/2011 001 FJD SIGNED BY AL  
FAIL TO ANSR/  
POSS AWARDED Y MONEY AWARD \$ .00

JUDGMENT AGAINST:

DELGADO

JOEL

01/12/2011 001 WAR WARRANT ISSUED JOHN VILLANUEVA-BADGE #36  
EXECUTION IS AS PER STIP/ORDER

AGAINST:

DELGADO

JOEL

03/15/2012  
20320696550  
MONEY ORDER-WM

**MONEY ORDER NUMBER**  
R203206965503

To Validate: Touch the stop sign, then watch it fade and reappear

PAY TO THE ORDER OF: Creston Partners LLC  
PAGAR A LA ORDER DE:  
IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNED FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECTION: Payable Through Wells Fargo bank, N.A. Fanbault, MN  
ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

PAY EXACTLY \*\$ 895<sup>00</sup>/<sub>100</sub> EIGHT HUNDRED NINETY FIVE DOLLARS 00 CENTS \*\*\*\*\*  
60528290372903  
1724800120226550

⑈091900533⑈2032 06965503⑈90

Valid Money Order Includes: 1, Heat sensitive, red stop sign AND 2, MoneyGram Image visible on the order side when held at an angle or rubbed with coin.

**MoneyGram.**  
Money Orders

03/15/2012  
20320696549  
MONEY ORDER-WM

**MONEY ORDER NUMBER**  
R203206965492

To Validate: Touch the stop sign, then watch it fade and reappear

PAY TO THE ORDER OF: Creston Partners LLC  
PAGAR A LA ORDER DE:  
IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNED FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECTION: Payable Through Wells Fargo bank, N.A. Fanbault, MN  
ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

PAY EXACTLY \*\$ 895<sup>00</sup>/<sub>100</sub> EIGHT HUNDRED NINETY FIVE DOLLARS 00 CENTS \*\*\*\*\*  
60528290372903  
1724800120226549

⑈091900533⑈2032 06965492⑈90

THE FRONT OF THIS DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram.**  
Money Orders

02/20/2012  
20386520126  
MONEY ORDER - WM

**MONEY ORDER NUMBER**  
R203865201265

PAY TO THE ORDER OF: Creston Partner's  
PAGAR A LA ORDER DE:  
IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNED FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECTION: 13772 OLIVE ST, WESTMINSTER, CA 92683  
Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska  
ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

PAY ONLY THIS AMOUNT \*\$ 985<sup>00</sup>/<sub>100</sub> NINE HUNDRED EIGHTY-FIVE\*\*\* DOLLARS & 00 CENTS\*\*\*\*\*  
60528378893788  
1839200218089126

TO AUTHENTICATE RUB CIRCLE  
PARA AUTENTICAR RESTREGAR EL CIRCULO

⑈091900533⑈2038 65201265⑈90

**202700002047**

**20270000204**  
MONEY ORDER - WM

▼ ▼ PAY ONLY THIS AMOUNT ▼ ▼

\* **\$978.00**

NINE HUNDRED SEVENTY EIGHT  
DOLLARS 00 CENTS\*\*\*\*\*

60528145998459  
2758000284080204

TO AUTHENTICATE RUB CIRCLE  
PARA AUTENTICAR RESTREGAR EL CIRCULO

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCION: 326 Bay St Apopka Fl 32712

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

091916187: 202 ? 00002047 90

**202700002036**

**MoneyGram** INTERNATIONAL MONEY ORDER **03/03/2011**  
Money Orders

**20270000203**  
MONEY ORDER - WM

▼ ▼ PAY ONLY THIS AMOUNT ▼ ▼

\* **\$978.00**

NINE HUNDRED SEVENTY EIGHT  
DOLLARS 00 CENTS\*\*\*\*\*

60528145998459  
2758000284080203

TO AUTHENTICATE RUB CIRCLE  
PARA AUTENTICAR RESTREGAR EL CIRCULO

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCION: 326 Bay St Apopka Fl 32712

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

091916187: 202 ? 00002036 90

**203865201276**

**MoneyGram** INTERNATIONAL MONEY ORDER **02/20/2012**  
Money Orders

**20386520127**  
MONEY ORDER - WM

▼ ▼ PAY ONLY THIS AMOUNT ▼ ▼

\* **\$985.00**

NINE HUNDRED EIGHTY-FIVE\*\*\*  
DOLLARS & 00 CENTS\*\*\*\*\*

60528378893788  
1839200218089127

TO AUTHENTICATE RUB CIRCLE  
PARA AUTENTICAR RESTREGAR EL CIRCULO

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: Creston Partner's

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCION: 13772 OLIVE ST, WESTMINISTER, CA 92683

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

091900533: 2038 65201276 90

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

INDEX NO. 047671/2010

SEQ NO. 010

ORDER TO SHOW CAUSE TO VACATE DEFAULT JUDGMENT AND TO RESTORE TO THE CALENDAR

2229 CRESTON

PARTNERS

PETITIONER(S),

AGAINST

DELGADO/NYCHA

JOEL

RESPONDENT(S)

PREMISES:

2229 CRESTON AVENUE

17

BRONX

NY 104530000

UPON THE ANNEXED AFFIDAVIT (ON BEHALF) OF JOEL  
THE ABOVE NAMED RESPONDENT(S), SWORN TO ON JULY 02, 2012,  
AND UPON ALL THE PAPERS AND PROCEEDINGS HEREIN

DELGADO/NYCHA,

LET THE PETITIONER(S) OR HIS/HER/THEIR ATTORNEY(S) SHOW CAUSE AT A  
MOTION TERM OF THE

CIVIL COURT OF THE CITY OF NEW YORK

HOUSING PART: PART M, ANNEXED

LOCATED AT: 1118 GRAND CONCOURSE, BRONX

ON: JULY 16, 2012, AT 09:30 AM

OR AS SOON THEREAFTER AS COUNSEL MAY BE HEARD, WHY AN ORDER SHOULD NOT BE MADE:

VACATING THE JUDGMENT BASED ON THE RESPONDENTS FAILURE TO APPEAR,  
RESTORING THE CASE TO THE CALENDAR AND/OR GRANTING SUCH OTHER  
AND FURTHER RELIEF AS MAY BE JUST.

UNTIL THE ENTRY OF A COURT ORDER, ALL PROCEEDINGS BY PETITIONER,  
HIS/HER ATTORNEY, AND ANY CITY MARSHAL ARE STAYED.

SERVICE OF A COPY OF THIS ORDER TO SHOW CAUSE AND ANNEXED AFFIDAVIT UPON THE  
PARTY'S ATTORNEY (OR, IF HE/SHE HAS NONE, ON THE PARTY),  
ATTORNEY(OR PARTY)

(JUDGE TO INITIAL)

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY CERTIFIED MAIL, R. R. R.

BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE

ON OR BEFORE

PAPERS MAY BE SERVED BY THE RESPONDENT IN PERSON.

MARSHAL:

(JUDGE TO INITIAL)

BY PERSONAL SERVICE "IN HAND DELIVERY"

BY CERTIFIED MAIL, R. R. R.

BY FIRST CLASS MAIL WITH CERTIFICATE  
OF MAILING AT POST OFFICE

SHALL BE DEEMED GOOD AND SUFFICIENT.

PROOF OF SUCH SERVICE MAY BE FILED WITH THE CLERK IN THE PART INDICATED ABOVE  
OR IN THE L & T CLERK'S OFFICE BEFORE THE RETURN DATE OF THIS ORDER TO SHOW CAUSE

ATTORNEY:

DAVID MOSS &amp; ASSOCIATES

370 LEXINGTON AVENUE STE 2102

NEW YORK, NY 10017

TELEPHONE: (212) 566-6780

MARSHAL:

JOHN VILLANUEVA-BADGE #36

29 EAST 233RD STREET

BRONX, NY 10470

TELEPHONE: (718) 654-3000

LOUIS J. VILLELLA

JUDGE, CIVIL/HOUSING COURT



\*\*\*\*\*  
\*\*\*\*\*

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX  
HOUSING PART M, RM. 460  
JULY 16, 2012

INDEX NO. 047671/2010  
MOTION SEQUENCE NO.: 010

2229 CRESTON PARTNERS  
AGAINST PETITIONER(S),  
DELGADO/NYCHA JOEL  
RESPONDENT(S)

DECISION/ORDER

PRESENT:

LOUIS J. VILLELLA  
JUDGE

RECITATION, AS REQUIRED BY CPLR 2219(A), OF THE PAPERS CONSIDERED IN THE  
REVIEW OF THIS OSC TO VACATE DEFAULT JUDGMENT/RESTORE TO THE CALENDAR

PAPERS	NUMBERED
NOTICE OF MOTION AND AFFIDAVITS ANNEXED.....	_____
ORDER TO SHOW CAUSE AND AFFIDAVITS ANNEXED....	_____
ANSWERING AFFIDAVITS.....	_____
REPLYING AFFIDAVITS.....	_____
EXHIBITS.....	_____
STIPULATIONS.....	_____
OTHER _____	_____

UPON THE FOREGOING CITED PAPERS, THE DECISION/ORDER IN THIS MOTION IS  
AS FOLLOWS:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

DATE

JUDGE, CIVIL/HOUSING COURT

ADJOURNMENTS

CASE: 047671/2010

2229 CRESTON

PARTNERS

VS DELGADO/NYCHA

JOEL

NO OF RESP OSC APPL: 10

AMT DMD: \$7,840.60 PETN ATTY: DAVID MOSS &amp; ASSOCIATES

FILING DTE FILING TYPE CASE TYPE1 CASE TYPE2 CASE TYPE3

08/31/2010 PET/NP RESDT NON-PAY

PETITIONER:

2229 CRESTON PARTNERS LLC

RESPONDENT:

DELGADO

JOEL

NYCHA

PREMISES ADDRESS:

2229 CRESTON AVENUE

17

BRONX

NY 10453

DESCRIPTION:

17

01/27/2011	001	OSC	BY RESP SIGNED BY	LJV	02/10/2011	M	09:30A		
			VACATE DEFAULT JUDGMENT						
			ASSIGN TO PART M						
02/10/2011	001	CLN M	09:30A	ADJN	03/02/2011	M	09:30A	LJV	OSC
03/02/2011	002	CLN M	09:30A	ADJN	03/23/2011	M	09:30A	LJV	OSC
03/23/2011	003	CLN M	09:30A	ADJN	04/19/2011	M	09:30A	LJV	OSC
04/19/2011	004	CLN M	09:30A	ADJN	05/11/2011	M	09:30A	LJV	OSC
05/11/2011	005	CLN M	09:30A	DNAM				LJV	OSC
05/13/2011	002	OSC	BY RESP SIGNED BY	LJV	05/31/2011	M	09:30A		
			VACATE JUDGMENT						
05/31/2011	001	CLN M	09:30A	ADJN	07/11/2011	M	09:30A	LJV	OSC
07/11/2011	002	CLN M	09:30A	ADJN	09/07/2011	M	09:30A	LJV	OSC
09/07/2011	003	CLN M	09:30A	DNAM				LJV	OSC
09/07/2011	003	OSC	BY RESP DENIED BY	LJV					
			VACATE JUDGMENT						
09/12/2011	004	OSC	BY RESP SIGNED BY	LJV	09/26/2011	M	09:30A		
			VACATE JUDGMENT						
09/26/2011	001	CLN M	09:30A	ADJN	11/01/2011	M	09:30A	LJV	OSC
11/01/2011	002	CLN M	09:30A	DNAM				LJV	OSC
02/01/2012	005	OSC	BY RESP SIGNED BY	LJV	02/17/2012	M	09:30A		
			VACATE JUDGMENT						
02/17/2012	001	CLN M	09:30A	ADJN	02/21/2012	M	09:30A	LJV	OSC
02/21/2012	002	CLN M	09:30A	DNAM				LJV	OSC
02/21/2012	006	OSC	BY RESP DENIED BY	LJV					
			VACATE JUDGMENT						
02/23/2012	007	OSC	BY RESP DENIED BY	LJV					
			VACATE JUDGMENT						
02/28/2012	008	OSC	BY RESP SIGNED BY	LJV	03/13/2012	M	09:30A		
			VACATE JUDGMENT						
03/13/2012	001	CLN M	09:30A	ADJN	04/24/2012	M	09:30A	LJV	OSC
04/24/2012	002	CLN M	09:30A	DNAM				LJV	OSC
05/03/2012	009	OSC	BY RESP SIGNED BY	LJV	05/22/2012	M	09:30A		
			VACATE JUDGMENT						

DATE: 07/02/2012  
TIME: 15:12:23

OFFICE OF COURT ADMINISTRATION  
- BRNX HOUSING COURT INFORMATION SYSTEM -  
HISTORY OF PROCEEDINGS

PAGE: 2

CASE: 047671/2010  
2029 CRESTON

PARTNERS

VS DELGADO/NYCHA

JOEL

05/22/2012	001 CLN M	09:30A ADJN	07/02/2012 M	09:30A LJV	OSC
07/02/2012	002 CLN M	09:30A			OSC
07/02/2012	010	OSC BY RESP SIGNED BY	LJV	07/16/2012 M	09:30A
		VACATE JUDGMENT			
07/16/2012	001 CLN M	09:30A			OSC

12/23/2010 001 WAR WARRANT REQUESTED  
01/03/2011 001 FJD PAPERS REVIEWED  
01/03/2011 001 FJD SUBMITTED TO AL FAIL TO ANSWER  
01/03/2011 001 WAR WARRANT REVIEWED  
01/12/2011 001 FJD SIGNED BY AL  
FAIL TO ANSR/  
POSS AWARDED Y MONEY AWARD \$1.00

## JUDGMENT AGAINST:

DELGADO

JOEL

01/12/2011 001 WAR WARRANT ISSUED

JOHN VILLANUEVA-BADGE #36

EXECUTION IS AS PER STIP/ORDER

AGAINST:

DELGADO

JOEL

## Civil Court of the City of New York

COUNTY OF Bronx

Housing Part

Index No. LT

(PLEASE PRESS HARD)

47677-10

AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE TO VACATE A JUDGMENT  
Based Upon a) Failure To Appear b) Failure to Comply  
and

TO RESTORE TO THE CALENDAR

Address:

2229 Creston Ave #17

Bronx N.Y. 10457

Apt. 17

State of New York, County of Bronx SS.:F J Delgado

(Print Your Name)

, being duly sworn, deposes and says:

## Tenant's Initials

1.  
PARTY

- a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the \_\_\_\_\_  
of the tenant named above.

2.  
SERVICE  
and ANSWER

- I received the Notice of Petition and Petition in this proceeding, filed my answer in the Clerk's Office and received a date for trial.  
I received a Holdover Notice of Petition and Petition and the date had already passed.

3.  
EXCUSE

- On the Date of Trial before Judge 7-2-12 @ 9:30 am  
a) a Judgment was entered against me by default for my failure to appear. My reason for not appearing in Court on the date scheduled for (Trial) (Motion) is: \_\_\_\_\_  
b) a Judgment was entered (after trial) (after stipulation) but (I) (the Landlord) failed to comply with the Order of the Court because: \_\_\_\_\_

4.  
DEFENSE

I allege that I have a good defense because:

- I was improperly served. \_\_\_\_\_ petitioner is not the owner.  
the amount being claimed is incorrect. \_\_\_\_\_ no rent was demanded.  
there is credit due for rent overcharge. \_\_\_\_\_ the rent has been partially/fully paid.  
the rent has been offered and refused. \_\_\_\_\_ I have been harassed.  
there are conditions in the apartment which need repair, or services which have not been provided.

\*Explain rent payments, if any, or other defense: I have the rent in money order ITS just the rent they say I owe IS WRONG & they dont want to fix nothing

5.  
REQUEST

I request that the Judgment be vacated, that the case be restored to the calendar and that I be granted permission to serve these papers in person.

6.  
PRIOR  
ORDER

- a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number but I am making this further application because: I was in the hospital today and just got out

Sworn to before me this 2 day of JULY, 2012

Signature of Respondent

Signature of Court Employee and Title

113764

PAY TO THE ORDER OF: PAGAR A LA ORDEN DE: Juan Velilla

IMPORTANT SEE BACK BEFORE CASHING

**MoneyGram**  
Money Orders

INTERNATIONAL MONEY ORDER

75-53 919

02/01/2012

10384511376

MONEY ORDER-WM

\*\*\*\$9885.08

PAY ONLY THIS AMOUNT

PAY TO THE ORDER OF: PAGAR A LA ORDEN DE: Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: John Sean

PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: DIRECCION: 326 Bay St. Anchorage, Alaska

Payable Through Wells Fargo Bank South Central, N.A.

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528145998459

2758000284080204

TO AUTHENTICATE RUB OFF FOR AUTENTIFICAR RESTREGAR EL CIRCULO

02/20/2012

20386520127

MONEY ORDER - WM

\*\*\*\$985.00

NINE HUNDRED EIGHTY-FIVE\*\*\*

DOLLARS & 00 CENTS\*\*\*\*\*

60528378893788

1839200218089127

TO AUTHENTICATE RUB OFF FOR AUTENTIFICAR RESTREGAR EL CIRCULO

02/01/2012

10384511376

MONEY ORDER-WM

\*\*\*\$9885.08

PAY ONLY THIS AMOUNT

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER

Money Orders

02/20/2012

20386520127

MONEY ORDER - WM

PAY TO THE ORDER OF: PAGAR A LA ORDEN DE: Creston Partner's

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: Stacey Green

PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: DIRECCION: 13772 OLIVE ST, WESTMINSTER, CA 92683

Payable Through Wells Fargo Bank South Central, N.A.

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528378893788

1839200218089127

TO AUTHENTICATE RUB OFF FOR AUTENTIFICAR RESTREGAR EL CIRCULO

02/01/2012

10384511376

MONEY ORDER-WM

\*\*\*\$9885.08

PAY ONLY THIS AMOUNT

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC. ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER

Money Orders

02/01/2012

10384511375

MONEY ORDER-WM

PAY TO THE ORDER OF: PAGAR A LA ORDEN DE: Juan Velilla

IMPORTANT SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: [Signature]

PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: DIRECCION: 1151 S BAY RD, DOVER, DE 19901

Payable Through Citizens State Bank of Clara City, MN

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

98210023020001

268212354121375

TO AUTHENTICATE RUB OFF FOR AUTENTIFICAR RESTREGAR EL CIRCULO

02/01/2012

10384511375

MONEY ORDER-WM

\*\*\*\$9885.08

NINE HUNDRED EIGHTY EIGHT

DOLLARS 50 CENTS\*\*\*\*\*

98210023020001

268212354121375

TO AUTHENTICATE RUB OFF FOR AUTENTIFICAR RESTREGAR EL CIRCULO

3865201265

**MoneyGram**  
Money Orders

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: **Creston Partner's**

ISSUER/DRAWER: **MoneyGram Payment Systems, Inc.**

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: **Stacey Green**

ADDRESS: / DIRECCION: **12 MAIN ST BOSTON, MA 02129**

Payable Through: **Citizens State Bank of Clara City, MN**

ISSUER/DRAWER: **MONEYGRAM PAYMENT SYSTEMS, INC.**

TO AUTHENTICATE RUBRICAR PARA AUTENTICAR RESTREGAR EL CIRCULO

02/20/2012

20386520126

MONEY ORDER - WM

985000

NINE HUNDRED EIGHTY-FIVE DOLLARS & 00 CENTS\*\*\*\*\*

75-53 919

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: **Josel Delgado**

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: **Josel Leon**

PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCION: **324 Bay St Apopka FL 32712**

Payable Through: **Wells Fargo Bank**

ISSUER/DRAWER: **MONEYGRAM PAYMENT SYSTEMS, INC.**

TO AUTHENTICATE RUBRICAR PARA AUTENTICAR RESTREGAR EL CIRCULO

01/17/2012

60528145998459

2758000284080203

985000

NINE HUNDRED SEVENTY EIGHT DOLLARS 00 CENTS \*\*\*\*\*

75-53 919

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER

Money Orders

01/17/2012

10384512229

MONEY ORDER-WM

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: **JUAN VELILLA**

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: **Melissa Brown**

PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCION: **12 MAIN ST BOSTON, MA 02129**

Payable Through: **Citizens State Bank of Clara City, MN**

ISSUER/DRAWER: **MONEYGRAM PAYMENT SYSTEMS, INC.**

TO AUTHENTICATE RUBRICAR PARA AUTENTICAR RESTREGAR EL CIRCULO

01/17/2012

10384512229

985000

NINE HUNDRED EIGHTY FIVE DOLLARS 00 CENTS \*\*\*\*\*

75-53 919

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER

Money Orders

01/17/2012

10384512280

MONEY ORDER-WM

PAY TO THE ORDER OF: / PAGAR A LA ORDEN DE: **JUAN VELILLA**

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR: **Melissa Brown**

PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: / DIRECCION: **12 MAIN ST BOSTON, MA 02129**

Payable Through: **Citizens State Bank of Clara City, MN**

ISSUER/DRAWER: **MONEYGRAM PAYMENT SYSTEMS, INC.**

TO AUTHENTICATE RUBRICAR PARA AUTENTICAR RESTREGAR EL CIRCULO

01/17/2012

10384512280

985000

NINE HUNDRED EIGHTY FIVE DOLLARS 00 CENTS \*\*\*\*\*

75-53 919

Valid Money Order includes: 1. Heat sensitive, red stop sign, AND 2. MoneyGram image visible on the order side when held at an angle.

**MoneyGram**  
Money Orders

To Validate: Touch the stop sign, then watch it fade and reappear.

**ORDER OF / PAGAR A LA**  
ORDER DE: Creston Partners LLC

IMPORTANT: SEE BACK BEFORE CASHING

**PAY TO THE ORDER OF / PAGAR A LA**  
ORDER DE: Creston Partners LLC

**PURCHASER, SIGNED FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR**  
PURCHASER BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

**ADDRESS / DIRECCION:**  
Payable Through  
Wells Fargo Bank, N.A.  
Fairbault, MN

**ISSUER/DRAWER:**  
MONEYGRAM PAYMENT SYSTEMS, INC.

**MONEY ORDER NUMBER**  
R203206965492

**INTERNATIONAL MONEY**  
03/15/2015  
20320696549  
MONEY ORDER

**PAY EXACTLY**  
\*\*\$895  
EIGHT HUNDRED NINE DOLLARS 00 CENTS

605282903729  
17248001202

1:0919005331:2032 06965492# 90

Valid Money Order includes: 1. Heat sensitive, red stop sign, AND 2. MoneyGram image visible on the order side when held at an angle.

**MoneyGram**  
Money Orders

To Validate: Touch the stop sign, then watch it fade and reappear.

**ORDER OF / PAGAR A LA**  
ORDER DE: Creston Partners LLC

IMPORTANT: SEE BACK BEFORE CASHING

**PAY TO THE ORDER OF / PAGAR A LA**  
ORDER DE: Creston Partners LLC

**PURCHASER, SIGNED FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR**  
PURCHASER BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

**ADDRESS / DIRECCION:**  
Payable Through  
Wells Fargo Bank, N.A.  
Fairbault, MN

**ISSUER/DRAWER:**  
MONEYGRAM PAYMENT SYSTEMS, INC.

**MONEY ORDER NUMBER**  
R203206965503

**INTERNATIONAL MONEY**  
03/15/2015  
20320696550  
MONEY ORDER

**PAY EXACTLY**  
\*\*\$895  
EIGHT HUNDRED NINE DOLLARS 00 CENTS

605282903729  
172480012026

1:0919005331:2032 06965503# 90

113764

PAY TO THE ORDER OF / PAGAR A LA ORDEN DE: *Joan Velilla*

IMPORTANT SEE BACK BEFORE CASHING

**MoneyGram**  
Money Orders

INTERNATIONAL MONEY ORDER

02/01/2012

10384511376

MONEY ORDER-WM

PAY ONLY THIS AMOUNT

75-53 919

PAY TO THE ORDER OF / PAGAR A LA ORDEN DE: *Joel Delgado*

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS / DIRECCION: *326 Bay St. Anchorage, AK 99501*

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528145998458  
2758000284080204

TO AUTHENTICATE RUB CIRCLE PARA AUTENTICAR RESTREGAR EL CIRCULO

92027000020

75-53 919

THE FRONT OF THIS DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER  
Money Orders

02/20/2012

20386520127

MONEY ORDER - WM

PAY ONLY THIS AMOUNT

PAY TO THE ORDER OF / PAGAR A LA ORDEN DE: *Creston Partner's*

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS / DIRECCION: *13772 OLIVE ST, WESTMINSTER, CA 92683*

Payable Through Wells Fargo Bank South Central, N.A. Anchorage, Alaska

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

60528378893788  
1839200218089127

TO AUTHENTICATE RUB CIRCLE PARA AUTENTICAR RESTREGAR EL CIRCULO

R203865201276

75-53 919

THE FRONT OF THIS DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THERMOCHROMIC ABSENCE OF THESE FEATURES WILL INDICATE A COPY.

**MoneyGram** INTERNATIONAL MONEY ORDER  
Money Orders

02/01/2012

10384511375

MONEY ORDER-WM

PAY ONLY THIS AMOUNT

PAY TO THE ORDER OF / PAGAR A LA ORDEN DE: *Joan Velilla*

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS / DIRECCION: *1151 S BAY RD, DOVER, DE 19901*

Payable Through Citizens State Bank of Clara City, MN

ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

98210023020001  
268212354121375

TO AUTHENTICATE RUB CIRCLE PARA AUTENTICAR RESTREGAR EL CIRCULO

R103845113753

75-53 919



3865201265

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDEPAY TO THE  
ORDER OF /  
PAGAR A LA  
ORDEN DE

Creston Partner's

IMPORTANT - SEE BACK BEFORE CASHING

MoneyGram  
Money Orders

INTERNATIONAL MONEY ORDER

02/20/2012

20386520126  
MONEY ORDER - WM

PAY ONLY THIS AMOUNT

NINE HUNDRED EIGHTY-FIVE  
DOLLARS & 00 CENTS \*\*\*\*\*PAY TO THE  
ORDER OF /  
PAGAR A LA  
ORDEN DE

Joel Delgado

IMPORTANT - SEE BACK BEFORE CASHING

PURCHASER, SIGNER FOR DRAWER / COMPRADOR, FIRMA DEL LIBRADOR  
PURCHASER, BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDEADDRESS /  
DIRECCION:Payable Through  
Wells Fargo Bank  
South Central, N.A.  
Anchorage, Alaska

ISSUER/DRAWER:

MONEYGRAM PAYMENT SYSTEMS, INC.

20270000203

MONEY ORDER - WM

PAY ONLY THIS AMOUNT

NINE HUNDRED SEVENTY EIGHT  
DOLLARS & 00 CENTS \*\*\*\*\*

60528145998459

2758000284080203

TO AUTHENTICATE RUBRICATE  
PARA AUTENTICAR RESTREGAR EL CIRCULO

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THE MICRO-PRINTED ABSENCE OF THESE FEATURES WILL INDICATE A COPY

MoneyGram  
Money Orders

INTERNATIONAL MONEY ORDER

01/17/2012

10384512229

MONEY ORDER-WM

PAY ONLY THIS AMOUNT

NINE HUNDRED EIGHTY FIVE  
DOLLARS 00 CENTS \*\*\*\*\*98210023020001  
268212 354122229TO AUTHENTICATE RUBRICATE  
PARA AUTENTICAR RESTREGAR EL CIRCULO

103845122297 90

THE FRONT OF THE DOCUMENT HAS A MICRO-PRINT AMOUNT BOX AND THE MICRO-PRINTED ABSENCE OF THESE FEATURES WILL INDICATE A COPY

MoneyGram  
Money Orders

INTERNATIONAL MONEY ORDER

01/17/2012

10384512280

MONEY ORDER-WM

PAY ONLY THIS AMOUNT

NINE HUNDRED EIGHTY FIVE  
DOLLARS 00 CENTS \*\*\*\*\*98210023020001  
268212 354122280TO AUTHENTICATE RUBRICATE  
PARA AUTENTICAR RESTREGAR EL CIRCULO

103845122808 90

Valid Money Order Includes: 1. Heat sensitive, red stop sign AND 2. MoneyGram Image visible on the order side when held at an angle.

**MoneyGram**  
Money Orders

To Validate: Touch the stop sign, then watch it fade and reappear.

**INTERNATIONAL MONEY**

03/15/2017  
2032069654  
MONEY ORDER

PAY EXACTLY  
\*\*\$ 89.00  
EIGHT HUNDRED NINETY DOLLARS 00 CENTS

60528290372  
17248001202

PAY TO THE ORDER OF: CRESTON PARTNERS LLC

ORDER OF: PAGAR A LA ORDER DE:

IMPORTANT: SEE BACK BEFORE CASHING

PURCHASER: SIGNED FOR DRAWER / COMPRADOR: FIRMA DEL LIBRADOR

PURCHASER: BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: Payable Through Wells Fargo Bank, N.A. ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

MP

R203206965492

MONEY ORDER NUMBER

!091900533!2032 06965492# 90

Valid Money Order Includes: 1. Heat sensitive, red stop sign AND 2. MoneyGram Image visible on the order side when held at an angle.

**MoneyGram**  
Money Orders

To Validate: Touch the stop sign, then watch it fade and reappear.

**INTERNATIONAL MONEY**

03/15/2017  
20320696550  
MONEY ORDER

PAY EXACTLY  
\*\*\$ 89.50  
EIGHT HUNDRED NINETY FIVE DOLLARS 00 CENTS \*\*\*\*

60528290372903  
172480012022653

PAY TO THE ORDER OF: CRESTON PARTNERS LLC

ORDER OF: PAGAR A LA ORDER DE:

IMPORTANT: SEE BACK BEFORE CASHING

PURCHASER: SIGNED FOR DRAWER / COMPRADOR: FIRMA DEL LIBRADOR

PURCHASER: BY SIGNING YOU AGREE TO THE SERVICE CHARGE AND OTHER TERMS ON THE REVERSE SIDE

ADDRESS: Payable Through Wells Fargo Bank, N.A. ISSUER/DRAWER: MONEYGRAM PAYMENT SYSTEMS, INC.

MP

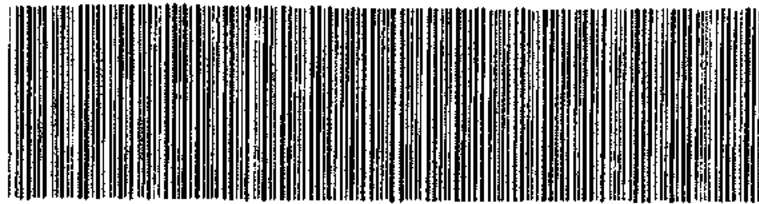
R203206965503

MONEY ORDER NUMBER

!091900533!2032 06965503# 90

**NYC DEPARTMENT OF FINANCE  
OFFICE OF THE CITY REGISTER**

This page is part of the instrument. The City Register will rely on the information provided by you on this page for purposes of indexing this instrument. The information on this page will control for indexing purposes in the event of any conflict with the rest of the document.



2012050200166003001E71F7

**RECORDING AND ENDORSEMENT COVER PAGE****PAGE 1 OF 5**

Document ID: 2012050200166003

Document Date: 04-25-2012

Preparation Date: 05-02-2012

Document Type: DEED

Document Page Count: 4

**PRESENTER:**

JUDICIAL TITLE INSURANCE AGENCY, LLC PICKUP  
800 WESTCHESTER AVENUE STE S340  
AS AGENT FOR FIRST AMERICAN - 109869 (MAP)  
RYE BROOK, NY 10573  
914-381-6700  
chalpin@judicialtitle.com

**RETURN TO:**

MARC A. WINSTON, ESQ.  
LAZARUS, LAZARUS & WINSTON  
3699 BAINBRIDGE AVENUE  
BRONX, NY 10467

**PROPERTY DATA**

<b>Borough</b>	<b>Block Lot</b>	<b>Unit</b>	<b>Address</b>
BRONX	3170 32 Entire Lot		2229 CRESTON AVENUE
<b>Property Type: COMMERCIAL REAL ESTATE</b>			

**CROSS REFERENCE DATA**

CRFN \_\_\_\_\_ or Document ID \_\_\_\_\_ or \_\_\_\_\_ Year \_\_\_\_\_ Reel \_\_\_\_\_ Page \_\_\_\_\_ or File Number \_\_\_\_\_

**PARTIES****GRANTOR/SELLER:**

2229 CRESTON PARTNERS LLC  
C/O TREETOP DEVELOPMENT, 550 BROAD STREET,  
SUITE 1212  
NEWARK, NJ 07102

**GRANTEE/BUYER:**

CONCREST REALTY LLC  
3200 CRUGER AVENUE, SUITE 201  
BRONX, NY 10467

**FEES AND TAXES**

<b>Mortgage</b>			<b>Filing Fee:</b>	
Mortgage Amount:	\$	0.00		\$ 250.00
Taxable Mortgage Amount:	\$	0.00	NYC Real Property Transfer Tax:	
Exemption:				\$ 52,500.00
<b>TAXES: County (Basic):</b>	\$	0.00	NYS Real Estate Transfer Tax:	
City (Additional):	\$	0.00		\$ 8,000.00
Spec (Additional):	\$	0.00		
TASF:	\$	0.00		
MTA:	\$	0.00		
NYCTA:	\$	0.00		
Additional MRT:	\$	0.00		
<b>TOTAL:</b>	\$	0.00		
Recording Fee:	\$	57.00		
Affidavit Fee:	\$	0.00		


**RECORDED OR FILED IN THE OFFICE  
OF THE CITY REGISTER OF THE  
CITY OF NEW YORK**

Recorded/Filed 05-09-2012 14:02

City Register File No. (CRFN):

2012000184673

*Quanta M. Hill*  
City Register Official Signature

109869 (4)

THE JUDICIAL TITLE INSURANCE AGENCY LTD  
800 WESTCHESTER AVENUE - SUITE 6-840  
RYE BROOK, NEW YORK 10573  
914-353-6700

### BARGAIN & SALE DEED WITHOUT COVENANTS

CONSULT YOUR LAWYER BEFORE SIGNING THIS INSTRUMENT - THIS INSTRUMENT SHOULD BE USED BY LAWYERS ONLY.

THIS INDENTURE, made the 21 day of April, two thousand and twelve

BETWEEN

2229 Creston Partners LLC, a New York limited liability company,  
having an address c/o TreeTop Development,  
550 Broad Street, Suite 1212, Newark, New Jersey 07102,

party of the first part, and

Concrest Realty LLC, a New York limited liability company,  
having an address at 3200 Cruger Avenue, Suite 201, Bronx, New York 10467,

party of the second part,

WITNESSETH, that the party of the first part, in consideration of ten dollars and other valuable consideration paid by the party of the second part, does hereby grant and release unto the party of the second part, the heirs or successors and assigns of the party of the second part forever,

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the BOROUGH AND COUNTY OF BRONX, CITY AND STATE OF NEW YORK, bounded and described more particularly as set forth in Schedule A annexed hereto and made a part hereof;

See SCHEDULE A annexed hereto.

PREMISES being known as 2229 Creston Avenue, Bronx, New York.

TOGETHER with all right, title and interest, if any, of the party of the first part in and to any streets and roads abutting the above described premises to the center of the lines thereof;

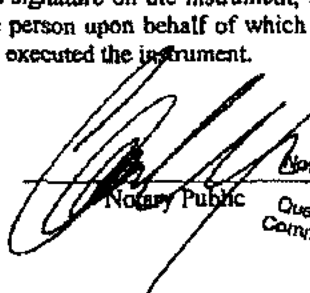
TOGETHER with the appurtenances and all the estate and rights of the party of the first part in and to the premises; TO HAVE AND TO HOLD the premises herein granted unto the party of the second part, the heirs or successors and assigns of the party of the second part forever.

AND the party of the first part, in compliance with Section 13 of the Lien Law, covenants that the party of the first part will receive the consideration for this conveyance and will hold the right to receive such consideration as a trust fund to be applied first for the purpose of paying the cost of improvement and will apply the same first to the payment of the cost of the improvement before using any part of the total of the same for any other purpose.

The word "party" shall be construed as if it read "parties" whenever the sense of this indenture so requires.

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss:

On the 25 day of April in the year 2012, before me, the undersigned a notary public in and for said state, personally appeared Adam MacPherson, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

  
ADAM MAC PHERSON  
Notary Public, State of New York  
No. 01MAG072441  
Qualified in Westchester County  
Commission Expires May 27, 2014

BARGAIN AND SALE DEED  
WITHOUT COVENANTS  
AGAINST GRANTOR'S ACTS

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss:

On the \_\_\_ day of \_\_\_\_\_ in the year 2012, before me, the undersigned a notary public in and for said state, personally appeared \_\_\_\_\_, personally known to me or proved to me on the basis of satisfactory evidence to be the individual whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his capacity, and that by his signature on the instrument, the individual, or the person upon behalf of which the individual acted, executed the instrument.

Notary Public  


TITLE NO. 104604

2229 Creston Partners LLC

- to -

Concrest Realty LLC

SECTION:

BLOCK: 3170

LOT: 32

COUNTY: Bronx

TAX BILLING ADDRESS:

2229 Creston Avenue  
Bronx, New York

RETURN BY MAIL TO:

Marc A. Winston, Esq.  
Lazarus, Lazarus & Winston  
3699 Bainbridge Avenue  
Bronx, New York 10467

1/2012 12:03 7185191480

GAZIVODA REALTY CO ,

IN WITNESS WHEREOF, the party of the first part has duly executed this deed the day and year first above written.

IN PRESENCE OF:

2229 Creston Partners LLC

By: RCM Bronx Holdings, LLC,  
its Managing Member

By: Jazidic Brother, LLC,  
its Sole Member and General Manager

By:

Name: Adam Mermelstein  
Title: General Manager

## THE JUDICIAL TITLE INSURANCE AGENCY LLC

Title Number: 109869FA-B

### SCHEDULE A

ALL that certain plot, piece or parcel of land, with the buildings and improvements thereon erected, situate, lying and being in the Borough and County of the Bronx, City and State of New York, bounded and described as follows:

BEGINNING at a point at the corner formed by the intersection of the southerly side of 182 Street with the westerly side of Creston Avenue as said street and avenue are laid out and legally opened;

RUNNING THENCE westerly along the southerly side of 182 Street, 100 feet;

THENCE southerly at right angles to the southerly side of 182 Street, 73.33 feet;

THENCE easterly in a straight line for a distance of 97.24 feet to a point on the westerly line of Creston Avenue which point is distant 52.89 feet southerly from the point of beginning as measured along the westerly line of Creston Avenue;

THENCE northerly along said westerly line of Creston Avenue, 52.89 feet to the point or place of BEGINNING.

SAID premises being known as 2229 Creston Avenue, Bronx, NY.

*in index*

FOR  
CONVEYANCING  
ONLY

The policy to be issued under this report will insure the title to such buildings and improvements erected on the premises which by law constitute real property.

TOGETHER with all the right, title and interest of the party in the first part, or, in and to the land lying in the street in front of and adjoining said premises.

Page 1 of 1

47610/10

## NL

18 M

10

Concrete Rebar U/C

Joel <sup>against</sup> Natgode  
2229 Crocker Ave

2229 Broken A4

2229 Cohen A4

2/1/12

21112

*The parties understand that each party has the right to a trial, the right to see a Judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.*

RESPONDENT APPEARS PRO SE

ES PC HEREBY APPEAR FOR PETITIONER  
Caption Amended to reflect Petitioner's

Concord Realty LLC. Prior judgment entered 1/11/11

05/14

Consent Rec'd UH

1001 Dalgado

John D. 11/7/2011

---

NEW

14625.CO

in favor of Petitioner which is rent owed through

See below

14,625,10

Petitioner reserves its claims for legal fees, marshall fees and late charges.

For 10,000 (has the money)

For Y4625.00

CIATES PC  
SUITE 3  
10458

Page 80

347 - 457-374C

347 - 457 Page 80 374C



**CIVIL COURT OF THE CITY OF NEW YORK**  
**COUNTY OF BRONX PART**  
**DECISION AND JUDGMENT**

INDEX # 047671/2010  
 JUDGMENT SEQ # 002

2229 CRESTON PARTNERS LLC,

Petitioner(s)

**AGAINST**  
 DELGADO, JOEL  
 NYCHA,

Respondent(s)

Decision and judgment is rendered based upon  
 a stipulation entered into by the parties as follows:

Judgment of possession is granted in favor of:

2229 CRESTON PARTNERS LLC,

and against

DELGADO, JOEL

A counterclaim is granted in favor of the respondent in the amount of \$0.00  
 (which if not being entered separately is offset and reflected in the  
 total amount due, listed below.)

A money judgment is hereby granted, along with cost and disbursements  
 in the amount of \$0.00 in favor of:

2229 CRESTON PARTNERS LLC,

and against

DELGADO, JOEL

for a total amount of \$14625.00

(Monthly use and occupancy is set at \$0.00 per month, as per order,  
 stipulation or decision in record.)

Warrant to issue forthwith

Execution

Date

8-1-12

Judge, Civil/Housing Court

LOUIS VILLELLA  
 JUDGE, HOUSING COURT

Section 5020(c) of the Civil Practice Law and Rules requires that a satisfaction be filed with the  
 clerk when the judgment is satisfied. Failure to do so subjects the judgment creditor to penalties.

**ENTRY OF JUDGMENT**

Judgment entered in accordance with the above on 8-1-12

Chief Clerk, Civil Court

Warrant issued to Marshal

On

CIV-LT-50(2006)

Page 1 of 1

JOHN L. VILLANUEVA

CITY MARSHAL  
BADGE #36  
29 East 233rd Street  
Bronx, N.Y. 10470  
Phn. (718) 654-3000  
Fax: (718) 654-4109

WARRANT REQUISITION

2012 SEP 10 10 18 AM

H/O ( ) A/T ( ) DEF (X) RES (X) COM ( )

COUNTY: BRONX

INDEX : 47671/2010

MARSHAL'S DOCKET#: 228382

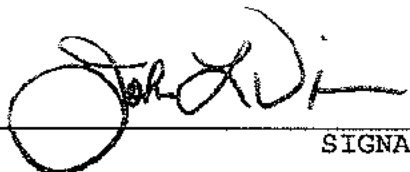
PETITIONER(S)  
CONCREST REALTY LLC

RESPONDENT(S)  
JOEL DELGADO

RESPONDENT'S ADDRESS  
2229 CRESTON AVENUE  
APT. 17  
BRONX, NY 10453-0000

COMMENTS

DATE 10/15/2012

  
SIGNATURE

JOHN L. VILLANUEVA, CITY MARSHAL BADGE #36

CIV-L/T-100(3/05)

228382

CITY OF NEW YORK  
OF BRONXWarrant Index Number  
047671/2010/091  
FJ SEQ 001

## WARRANT OF EVICTION

THE CITY OF NEW YORK OR ANY MARSHAL, GREETINGS:  
and the entry of a judgement of possession in favor of the

STON PARTNERS LLC,

THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK, you are commanded TO  
REMOVE THE RESPONDENT(S):

DELGADO, JOEL

AND ALL OTHER PERSONS from the premises

2229 CRESTON AVENUE 17 BRONX, NY 10453  
17and to put the petitioner(s) in full possession.  
This warrant may be executed as per stipulation/order.WITNESS, HON. ANDREW LEHRER  
Judge, Civil/Housing CourtCarol Alt  
CHIEF CLERK

Date 01/12/2011

Chief Clerk Carol Alt

RETURN: Pursuant to the command of this warrant I have this day put the  
petitioner(s) above named into full possession of the premises by

Legal Possession \_\_\_\_\_ Eviction \_\_\_\_\_

Signature

Docket Number: 228382  
APS Control Number:JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET -  
BRONX, NY 10470  
(718) 654-3000

(To be signed in case of Legal Possession)

Possession of the premises with the contents intact is hereby acknowledged.  
The petitioner accepts responsibility for all property on the premises,  
releases the marshal from any liability, and agrees to hold the marshal  
harmless from any action resulting from the execution of this warrant.

OCC REC 1-27-11 Rtn 2-10-11

OCC REC 9-13-11 Rtn 9-26-11

OCC REC 2-1-12 Rtn 2-17-12

OCC REC 2-22-12 Rtn 3-13-12

OCC REC 5-3-12 Rtn 5-22-12

Petitioner, Agent, Attorney for Landlord

622010047671091

JAN 10 2011

CITY OF NEW YORK  
OF BRONX

Warrant Index Number  
047671/2010/001  
PJ SEQ 001

WARRANT OF EVICTION

THE CITY OF NEW YORK OR ANY MARSHAL, GREETINGS:

on and the entry of a judgement of possession in favor of the

CRESTON PARTNERS LLC,

IN THE NAME OF THE PEOPLE OF THE STATE OF NEW YORK, you are commanded TO  
REMOVE THE RESPONDENT(S):

DELGADO, JOEL

AND ALL OTHER PERSONS from the premises

2229 CRESTON AVENUE 17 BRONX, NY 10453

17

and to put the petitioner(s) in full possession.

This warrant may be executed as per stipulation/order.

WITNESS, HON. ANDREW LEHRER  
Judge, Civil/Housing Court

Date 01/12/2011

Chief Clerk Carol Alt

RETURN: Pursuant to the command of this warrant I have this day put the  
petitioner(s) above named into full possession of the premises by

Legal Possession \_\_\_\_\_ Eviction \_\_\_\_\_

Signature

Docket Number: 228382  
APS Control Number:

JOHN VILLANUEVA-BADGE #36  
29 EAST 233RD STREET -  
BRONX, NY 10470  
(718) 654-3000

(To be signed in case of Legal Possession)

Possession of the premises with the contents intact is hereby acknowledged.  
The petitioner accepts responsibility for all property on the premises,  
releases the marshal from any liability, and agrees to hold the marshal  
harmless from any action resulting from the execution of this warrant.

Petitioner, Agent, Attorney for Landlord



622010047671001

**COURT OF THE CITY OF NEW YORK**  
**COUNTY OF BRONX PART**  
**DECISION AND JUDGMENT**

INDEX # 047671/2010  
JUDGMENT SEQ # 002

CONCREST REALTY LLC,

**AGAINST**  
DELGADO, JOEL  
NYCHA,

*Amend-y*  
Petitioner(s)

Respondent(s)

**Decision and judgment is rendered based upon**  
**a stipulation entered into by the parties as follows:**

**Judgment of possession is granted in favor of:**

CONCREST REALTY LLC,  
and against

DELGADO, JOEL

A counterclaim is granted in favor of the respondent in the amount of \$0.00  
(which if not being entered separately is offset and reflected in the  
total amount due, listed below.)

A money judgment is hereby granted, along with cost and disbursements  
in the amount of \$0.00 in favor of:

CONCREST REALTY LLC,  
and against  
DELGADO, JOEL

for a total amount of \$14625.00

(Monthly use and occupancy is set at \$0.00 per month, as per order,  
stipulation or decision in record.)

Warrant to issue forthwith

Execution

Date

*10-19-12*

*APS*  
*[Signature]*  
Judge, Civil/Housing Court

LOUIS VILLELLA

JUDGE, HOUSING COURT

Section 5020(c) of the Civil Practice Law and Rules requires that a satisfaction be filed with the  
clerk when the judgment is satisfied. Failure to do so subjects the judgment creditor to penalties.

**ENTRY OF JUDGMENT**

Judgment entered in accordance with the above on *10-19-12*

*Carol Alt*  
CHIEF CLERK

Chief Clerk, Civil Court

Warrant issued to Marshal *Dillanueva*

On

NOV 07 2012

Date:

10-18-12

Part: M

The Warrant Department was unable to process a warrant request on this case for the following reason(s).

Enter Screen 5

Judge's Signature Omitted

Prepare Final Judgment

Vacate Date Missing in Sequence #

Petition was Amended

Correct Information on Judgment:

Report w/ amended petition "Concrest Realty LLC"

Complete Information on Judgment:

Other

Please Correct and Return as soon as possible

JK

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

Concrest Realty LLC

Plaintiff,

-against-

Joel Delgado,  
[REDACTED] 1747

Defendant.

INDEX #: L&T 47671/10

FILE NO: 17017.0

INFORMATION SUBPOENA

RE: Joel Delgado

JUDGEMENT DEBTOR

2013 MAR 25 AM 10:45

TO: UNITED PARCEL SERVICE  
636 E SANDY LAKE RD  
COPELL, TX 75016, ATTN: PAYROLL  
ATTN:

FEB 19 2013

GREETING:

WHEREAS, IN AN ACTION IN THE CIVIL  
COURT OF THE CITY OF NEW YORK, COUNTY OF BRONX

BETWEEN: Concrest Realty LLC AS PLAINTIFF(S) AND Joel Delgado, AS DEFENDANT(S)

WHO ARE ALL THE PARTIES NAMED IN SAID ACTION, A JUDGEMENT WAS ENTERED ON  
8/1/2012 12:00:00 AM

IN FAVOR OF Concrest Realty LLC JUDGEMENT CREDITOR AND AGAINST Joel Delgado,  
JUDGEMENT DEBTOR(S)

WHOSE LAST KNOWN ADDRESS IS 2229 Creston Ave Bronx, NY 10453 IN THE AMOUNT  
OF \$14,625.00 INCLUDING COSTS, OF WHICH \$14,625.00 TOGETHER WITH INTEREST  
THEREON FROM 8/1/2012 12:00:00 AM REMAINS DUE AND UNPAID; AND WHEREAS, THE  
PERSON TO WHOM THIS SUBPOENA IS DIRECTED ;(RESIDES);(IS REGULARLY  
EMPLOYED);(HAS AN OFFICE FOR THE REGULAR TRANSACTION OF BUSINESS IN  
PERSON);

NOW, THEREFORE WE COMMAND YOU, THAT YOU ANSWER IN WRITING UNDER OATH,  
SEPERATELY AND FULLY, EACH QUESTION IN THE QUESTIONNAIRE ACCOMPANYING  
THIS SUBPOENA, EACH ANSWER REFERRING TO THE QUESTION TO WHICH IT RESPONDS;  
AND THAT YOU RETURN THE ANSWERS TOGETHER WITH THE ORIGINAL OF THE  
QUESTIONS WITHIN 7 DAYS AFTER YOUR RECEIPT OF THE QUESTIONS AND THIS  
SUBPOENA.

TAKE NOTICE THAT FALSE SWEARING OR FAILURE TO COMPLY WITH THIS SUBPOENA IS  
PUNISHABLE AS A CONTEMPT OF COURT.



Gary Kavulich Esq.  
Kavulich & Associates, P.C.  
181 Westchester Avenue, Suite 500C  
Port Chester, NY 10573  
(914) 355-2074

DATED Thursday, February 14, 2013



Service Center 636 E. Sandy Lake Rd Coppell, TX 75019

SSN:

*Del Delago*  
[Redacted] 747.

☐ Employee has active garnishments currently set up and deducting.

☐ Employee is currently part time and has low earnings. This is set up in our system if and when this employee's earnings increase this garnishment will deduct.

☐ Employee has filed bankruptcy. We are unable to make any more deductions. The original document is enclosed.

☐ Employee is currently is inactive as of.

☒ Employee is terminated and no longer with the company. 8-17-2005

☐ We show no record of this social security number.

☐ Employee is currently working. We remit weekly.

☐ We have received your letter to release garnishment. It was stopped on / /2012.

☐ I am UNABLE to locate this employee with the information given.

☐ I am unable to locate this employee without a: SOCIAL SECURITY #.

*If we can be of further assistance, please call Garnishment Payroll Department 972-304-3100. Kdm*

MONDAY - FRIDAY, 7:30 A.M. until 3:00 P.M.

Date: 3-1-2013 Kerren McNeal

*Kerren McNeal*



CIVIL COURT OF THE CITY OF NEW YORK  
BRONX COUNTY: HOUSING PART 34H

Concrete Realty  
Petitioner (Landlord)

INDEX #: 47671, 10

## ORDER TO SHOW CAUSE

POST JUDGMENT  
(MONEY ONLY)

-against-  
Delgado / N.Y.C.H.A.  
Respondent (Tenant)

Upon the annexed affidavit of Sol Delgado, the tenant named above, sworn on the 22<sup>nd</sup> day of April, 20 14, and on all proceedings had herein, let the landlord or his/her attorney show cause before me or one of the Judges of this Court, at a Motion Term of the Housing Part, Part 34H, Room 503 thereof, to be held at the Courthouse thereof, located at 851 Grand Concourse, in the County of the Bronx, City and State of New York, on the 12<sup>th</sup> day of May, 20 14 at 9:30 AM in the forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be made (opening tenant's default)\*, vacating and setting aside the final judgment entered herein in favor of the landlord and against the tenant on the 1 day of August, 20 12 (and restoring the case to the calendar for trial on a day certain)\* and why such other and further relief should not be granted as may be just in the premises.

Pending the hearing and determination of this motion and the entry of an order thereon, let all proceedings on the part of the landlord, his/her attorneys and agents, and any Marshal or Sheriff of the City of New York for the enforcement of said judgment be stayed.

<u>Kavulich Associates</u>	<u>Stephen Biegel</u>
<u>181 Westchester Ave.</u>	<u>109 West 38<sup>th</sup> St.</u>
<u>Suite 500C</u>	<u>Suite 200</u>
<u>Portchester, NY 10573</u>	<u>New York, NY 10018</u>
	<u>212-627-7425</u>

Sufficient cause therefor appearing, let service of a copy of this order, together with a copy of the affidavit annexed hereto, on the landlord or his attorney and on Marshal BIEGEL on or before the 26 day of April, 20 14 be sufficient; these papers with proof of service to be filed in court on 5/12/14. Service shall be made by CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(These papers may be served by the tenant in person)\*

DATED: April 22<sup>nd</sup>, 20 14

MDNAM 9:33 am

Judge of the Civil Court of the City of New York

HON. RUBÉN FRANCO

\*Strike out matter in both parentheses if application is based only on non-service of process

## Court of the City of New York

COUNTY OF BDHousing Part A

Petitioner,

against

Respondent

State of New York, County of BD

SS.:

Tenant's Initials

1. ASD a) I am the tenant named as respondent in the above summary proceeding.

PARTY

b) I am the person claiming possession to these premises and am the \_\_\_\_\_ of the tenant named above.

2. On the Date of Trial

TRIAL

a) a stipulation (a written agreement) was made between landlord and tenant.

b) a trial was held before Judge \_\_\_\_\_

c) Other: they gave me a court date for 9/28 that was a Saturday

3. REASON FOR APPLICATION

I make this application to Restore the Case to the Calendar because:

I do not owe this money to them and when they got a Judgment against me I was in the Hospital and NYCHA stop paying them because they did not do repairs & there was not Heat or Hot water or Gas for over 8 months in the entire building

4. REQUEST

I request that the case be restored to the calendar and that I be granted permission to serve these papers in person.

5. PRIOR ORDER

a) I have not had a previous Order to Show Cause regarding this index number.

b) I have had a previous Order to Show Cause regarding this index number, but I am making this further application because: last time I was here they gave me a court date 9/28 that was a Saturday

6. PRIOR CASES

The same landlord and I have been in Housing Court before. Earlier Index Number(s): \_\_\_\_\_

Sworn to before me this 22nd day of April, 2014

(Signature of Respondent)

(Signature of Court Employee and Title)

CIVIL COURT OF THE CITY OF NEW YORK  
BRONX COUNTY: HOUSING PART 34HINDEX #: 47671 : 10Conerest Realty

Petitioner (Landlord)

ORDER TO SHOW CAUSE

-against-

POST JUDGMENT  
(MONEY ONLY)Delgado / NYCHA

Respondent (Tenant)

Upon the annexed affidavit of Joel Delgado, the tenant named above, sworn on the 12<sup>th</sup> day of May, 20 14, and on all proceedings had herein, let the landlord or his/her attorney show cause before me or one of the Judges of this Court, at a Motion Term of the Housing Part, Part 34H, Room 503 thereof, to be held at the Courthouse thereof, located at 851 Grand Concourse, in the County of the Bronx, City and State of New York, on the 30 day of May, 20 14 at 9:30 AM in the forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be made (opening tenant's default)\*, vacating and setting aside the final judgment entered herein in favor of the landlord and against the tenant on the 1 day of August, 20 12 (and restoring the case to the calendar for trial on a day certain)\* and why such other and further relief should not be granted as may be just in the premises.

Pending the hearing and determination of this motion and the entry of an order thereon, let all proceedings on the part of the landlord, his/her attorneys and agents, and any Marshal or Sheriff of the City of New York for the enforcement of said judgment be stayed.

Karulich Associates181 Westchester Ave #500C  
Portchester, N.Y. 10573Stephen Biegel109 West 33<sup>rd</sup> Street - Suite 200  
New York, N.Y. 10018

Sufficient cause therefor appearing, let service of a copy of this order, together with a copy of the affidavit annexed hereto, on the landlord or his attorney and on Marshal Biegel on or before the 14 day of May, 20 14 be sufficient: these papers with proof of service to be filed in court on 5/30/14. Service shall be made by CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(These papers may be served by the tenant in person)\*

DATED: 5/12, 20 14

Edith N  
Judge of the Civil Court of the City of New York

6/16/14  
in  
ELIZABETH A. TAYLOR  
JUDGE, CIVIL COURT

\*Strike out matter in both parentheses if application is based on non-service of process

Civil Court of the City of New York  
County of Bronx

Part

Index Number

4767710

**AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE**

For

750 E 179<sup>th</sup> St

Address:

(Relief Requested)

BRONX NY 10457Apt. 14E

Petitioner(s),

against

Respondent(s)

Concrest RealtyDelgado / NYCHAState of New York, County of NY ss:Joel Delgado

(Print your name)

, being duly sworn, deposes and says:

(INITIALS)

1. JD a) I am the party named as (Petitioner) Respondent in the above entitled proceeding.  
Party b) I am the \_\_\_\_\_ of the party named as (Petitioner)(Respondent) in this proceeding.  
(Relationship)

2. JD I request that:

Request

For a new court date

3. JD I have a good defense/claim because:

Defense/

Claim

I was in the hospital when they got the judgement and NYCHA stop paying because they did not repair

4. JD I have a good excuse/reason because:

Excuse/

Reason

I got to court late because I was on Access A Ride and they had a flat Access A Ride is for disabled people

5. JD a) I have not had a previous Order to Show Cause regarding this Index Number.

Prior Order JD b) I have had a previous Order to Show Cause regarding this Index Number but I am making this further application because I was on Access A Ride and they had a flat and I got hear late

Sworn to before me this

12

day of

May

20

14

(Sign)

(Print)

Name

Address

City, State, Zip Code

Telephone Number

Joel Delgado750 E 179<sup>th</sup> StBRONX NY 10457

Signature of Court Employee and Title

347-454-5740

DATE: 05/12/2014  
TIME: 13:47:49

OFFICE OF COURT ADMINISTRATION  
- BRNX HOUSING COURT INFORMATION SYSTEM -  
HISTORY OF PROCEEDINGS

PAGE: 1

CASE: 047671/2010

CONCREST REALTY

LLC

VS DELGADO/NYCHA

JOEL

NO OF RESP OSC APPL: 13

AMT DMD: \$7,840.60 PETN ATTY: MARK H. COHEN & ASSOCIATES, P.

FILING DTE FILING TYPE CASE TYPE1 CASE TYPE2 CASE TYPE3  
08/31/2010 PET/NP RESDT NON-PAY

PETITIONER:

CONCREST REALTY LLC

RESPONDENT:

DELGADO

JOEL

NYCHA

PREMISES ADDRESS:

2229 CRESTON AVENUE 17

BRONX NY 10453

DESCRIPTION:

17

01/27/2011	001	OSC	BY RESP SIGNED BY	LJV	02/10/2011	M	09:30A	
			VACATE DEFAULT JUDGMENT					
			ASSIGN TO PART M					
02/10/2011	001	CLN M	09:30A	ADJN	03/02/2011	M	09:30A	LJV OSC
03/02/2011	002	CLN M	09:30A	ADJN	03/23/2011	M	09:30A	LJV OSC
03/23/2011	003	CLN M	09:30A	ADJN	04/19/2011	M	09:30A	LJV OSC
04/19/2011	004	CLN M	09:30A	ADJN	05/11/2011	M	09:30A	LJV OSC
05/11/2011	005	CLN M	09:30A	DNAM				LJV OSC
05/13/2011	002	OSC	BY RESP SIGNED BY	LJV	05/31/2011	M	09:30A	
			VACATE JUDGMENT					
05/31/2011	001	CLN M	09:30A	ADJN	07/11/2011	M	09:30A	LJV OSC
07/11/2011	002	CLN M	09:30A	ADJN	09/07/2011	M	09:30A	LJV OSC
09/07/2011	003	CLN M	09:30A	DNAM				LJV OSC
09/07/2011	003	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
09/12/2011	004	OSC	BY RESP SIGNED BY	LJV	09/26/2011	M	09:30A	
			VACATE JUDGMENT					
09/26/2011	001	CLN M	09:30A	ADJN	11/01/2011	M	09:30A	LJV OSC
11/01/2011	002	CLN M	09:30A	DNAM				LJV OSC
02/01/2012	005	OSC	BY RESP SIGNED BY	LJV	02/17/2012	M	09:30A	
			VACATE JUDGMENT					
02/17/2012	001	CLN M	09:30A	ADJN	02/21/2012	M	09:30A	LJV OSC
02/21/2012	002	CLN M	09:30A	DNAM				LJV OSC
02/21/2012	006	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
02/23/2012	007	OSC	BY RESP DENIED BY	LJV				
			VACATE JUDGMENT					
02/28/2012	008	OSC	BY RESP SIGNED BY	LJV	03/13/2012	M	09:30A	
			VACATE JUDGMENT					
03/13/2012	001	CLN M	09:30A	ADJN	04/24/2012	M	09:30A	LJV OSC
04/24/2012	002	CLN M	09:30A	DNAM				LJV OSC
05/03/2012	009	OSC	BY RESP SIGNED BY	LJV	05/22/2012	M	09:30A	
			VACATE JUDGMENT					

DATE: 05/12/2014

## OFFICE OF COURT ADMINISTRATION

TIME: 13:47:49

- BRNX HOUSING COURT INFORMATION SYSTEM -  
HISTORY OF PROCEEDINGS

PAGE: 2

CASE: 047671/2010

CONCREST REALTY

LLC

VS DELGADO/NYCHA

JOEL

05/22/2012	001 CLN M	09:30A ADJN	07/02/2012 M	09:30A LJV	OSC
07/02/2012	002 CLN M	09:30A ADJN	08/01/2012 M	09:30A LJV	OSC
08/01/2012	003 CLN M	09:30A GRD	08/01/2012 M	09:30A LJV	OSC R
08/01/2012	004 CLN M	09:30A JSTP		LJV	CAL

07/02/2012 010 OSC BY RESP NOT SIGNED LJV  
VACATE JUDGMENT

08/07/2013 011 OSC BY RESP SIGNED BY RF 08/21/2013 34H 09:30A  
POST JUDGMENT

08/21/2013	001 CLN 34H	09:30A ADJN	09/16/2013 34H	09:30A EM	OSC
09/16/2013	002 CLN 34H	09:30A			OSC

04/22/2014 012 OSC BY RESP SIGNED BY RF  
VACATE JUDGMENT  
RESTORE TO CALENDAR

05/12/2014 013 OSC BY RESP SIGNED BY JR 05/30/2014 34H 09:30A  
POST-JUDGMENT

05/30/2014	001 CLN 34H	09:30A			OSC
------------	-------------	--------	--	--	-----

12/23/2010 001 WAR WARRANT REQUESTED

01/03/2011 001 FJD PAPERS REVIEWED

01/03/2011 001 FJD SUBMITTED TO AL FAIL TO ANSWER

01/03/2011 001 WAR WARRANT REVIEWED

01/12/2011 001 FJD SIGNED BY AL

FAIL TO ANSR/

POSS AWARDED Y MONEY AWARD \$1.00

JUDGMENT AGAINST:

DELGADO

JOEL

01/12/2011 001 WAR WARRANT ISSUED JOHN VILLANUEVA-BADGE #36

EXECUTION IS AS PER STIP/ORDER

AGAINST:

DELGADO

JOEL

08/01/2012 002 FJD SIGNED BY LJV

AS PER STIP/

POSS AWARDED Y MONEY AWARD \$14,625.00

JUDGMENT AGAINST:

DELGADO

JOEL

COMMENT: AMENDED AND REPRINTED 11/7/12

10/16/2012 002 WAR WARRANT REQUESTED

11/07/2012 002 WAR WARRANT REVIEWED

11/07/2012 002 WAR WARRANT ISSUED JOHN VILLANUEVA-BADGE #36

EXECUTION IS AS PER STIP/ORDER

AGAINST:

DELGADO

JOEL

10/18/2012 001 CJO SENT TO PART M 10/18/12 JK, RETURNED 11/7/12

CIVIL COURT OF THE CITY OF NEW YORK  
BRONX COUNTY: HOUSING PART 34H

four copies

Date: May 31, 2017  
Time: 9:30 AM  
Room: 503, 5th Floor

INDEX #: 47671, 10

Concrest Realty

Petitioner (Landlord)

ORDER TO SHOW CAUSE

-against-

POST JUDGMENT  
(MONEY ONLY)

Delgado / NYCHA

Respondent (Tenant)

Upon the annexed affidavit of Joel Delgado, the tenant named above, sworn on the 12<sup>th</sup> day of May, 20 14, and on all proceedings had herein, let the landlord or his/her attorney show cause before me or one of the Judges of this Court, at a Motion Term of the Housing Part, Part 34H, Room 503 thereof, to be held at the Courthouse thereof, located at 851 Grand Concourse, in the County of the Bronx, City and State of New York, on the 30 day of May, 20 14 at 9:30 AM in the forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be made (opening tenant's default)\*, vacating and setting aside the final judgment entered herein in favor of the landlord and against the tenant on the 1 day of August, 20 12 (and restoring the case to the calendar for trial on a day certain)\* and why such other and further relief should not be granted as may be just in the premises.

Pending the hearing and determination of this motion and the entry of an order thereon, let all proceedings on the part of the landlord, his/her attorneys and agents, and any Marshal or Sheriff of the City of New York for the enforcement of said judgment be stayed.

Karulich Associates

181 Westchester Ave #500C

Portchester, N.Y. 10573

Stephen Biegel

109 West 38<sup>th</sup> Street - Suite 200

New York, N.Y. 10018

Sufficient cause therefor appearing, let service of a copy of this order, together with a copy of the affidavit annexed hereto, on the landlord or his attorney and on Marshal Biegel on or before the 14 day of May, 20 14 be sufficient: these papers with proof of service to be filed in court on 5/30/14. Service shall be made by CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(These papers may be served by the tenant in person)\*

DATED: 5/12, 20 14.

Edi n

Judge of the Civil Court of the City of New York

\*Strike out matter in both parentheses if application is based only on non-service of process

## Court of the City of New York

[PLEASE PRESS HARD]

Part

Index Number

AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSE

Petitioner(s),

against

Respondent(s)

For

Address:

(Relief Requested)

Apt. 14E

State of New York, County of NY ss:Joel Delgado

(Print your name)

, being duly sworn, deposes and says:

(INITIALS)

1. JD a) I am the party named as (Petitioner)(Respondent) in the above entitled proceeding.  
 Party JD b) I am the \_\_\_\_\_ of the party named as (Petitioner)(Respondent) in this proceeding.  
 (Relationship)

2. JD I request that:  
 Request

For a new court date

3. JD I have a good defense/claim because:

Defense/  
ClaimI was in the hospital when they got the judgement and NYCHA stop paying because they did not repair

4. JD I have a good excuse/reason because:

Excuse/  
ReasonI got to court late because I was on Access A Ride and they had a flat Access A Ride is for disabled people

5. JD a) I have not had a previous Order to Show Cause regarding this Index Number.

Prior JD b) I have had a previous Order to Show Cause regarding this Index Number but I am making this  
 Order further application because I was on Access A Ride and they had a flat and I got HRA late

Sworn to before me this 12 day of May, 20 18

(Sign)

(Print)

Name

Address

City, State, Zip Code

Telephone Number

Signature of Court Employee and Title



**Lucretia Sealy - 34h file- index #47671/2010**

---

**From:** Lucretia Sealy  
**To:** Gladys Maldonado; Lakisha Hickson; Ted Wind; William Smith  
**Date:** 5/13/2014 11:03 AM  
**Subject:** 34h file- index #47671/2010

---

Greetings,

Please forward index #47671/2010 Concrest Realty llc vs Joel Delgado/NYCHA for the 34h calendar on May 30,2014.

Thank you,  
Lucretia Sealy

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX: PART 34H  
-----X

INDEX NO. L&T 47671/10  
FILE NO. 17017

CONCREST REALTY LLC,

Petitioner,

-against-

JOEL DELGADO,

Respondent.  
-----X

AFFIRMATION IN  
OPPOSITION

GARY KAVULICH, ESQ., an attorney duly admitted to practice law before the Court of the State of New York, hereby affirms under the penalty of perjury:

1. I am a member of Kavulich & Associates, P.C., attorneys for the Petitioner herein. As such, I am fully familiar with the facts and circumstances of the within proceeding, except as to those matters stated upon information and belief, as to those matters I believe them to be true. The basis of my belief is information supplied to me by my client, information contained within the court file and information maintained within my office.

2. I make this affirmation in opposition to the Respondent JOEL DELGADO's Third Order to Show Cause which seeks to vacate the stipulated judgment in this matter and all executions against him and restore this matter to this Court's calendar. Please see Respondent's instant Order to Show Cause annexed hereto as Exhibit "1."

STATEMENT OF THE UNDISPUTED FACTS

3. This proceeding results from Respondent's breach of a lease agreement entered into by the Parties for the premises known as 2229 Creston Avenue, Apt. 17, Bronx, NY 10453. Annexed hereto as Exhibit "2" is the affidavit of Angela Gazivoda, managing agent of the Petitioner.

4. Defendant then failed to pay rent and accumulated substantial rental arrears. Annexed hereto as Exhibit "3" is a copy of the tenant ledger. Please see aforementioned Exhibit "2."

5. Petitioner then commenced a non-payment proceeding against Respondent and on August 1, 2012, the Parties stipulated to a final money judgment for the Petitioner of \$14,625.00 due by September 25, 2012. Annexed hereto as Exhibit "4" is a copy of said judgment. Please see aforementioned Exhibit "2."

6. As of this date, Respondent has yet to pay any of the outstanding judgment.

7. Petitioner then had to resort to execution measures in an effort to collect the outstanding amount due.

8. Thereafter, your Affirmant's office began execution measures to collect on the outstanding judgment.

9. As a part of those execution measures, your Affirmant's office served upon Bank of America an information subpoena and restraining notice on or about March 20, 2012.

10. Thereafter, your Affirmant's office received a response from Bank of America stating that the amount in the account was insufficient to restrain.

11. Thereafter, the Respondent moved via his first Order to Show Cause, seeking to vacate the judgment with a return date for August 21, 2013. Annexed hereto as Exhibit "5" is a copy of the Respondent's first Order to Show Cause.

12. On August 21, 2013, Respondent's Order was denied.

13. Thereafter, Petitioner as a part of those execution measures, on or about April 26, 2014 caused New York City Marshal Stephen W. Biegel to serve a duly executed property execution upon Defendant's bank account.

14. Thereafter, on April 22, 2014 the Respondent moved once again, via an Order to Show Cause, seeking to vacate the stipulated judgment with a return date for May 12, 2014. Annexed hereto as Exhibit "6" is a copy of the Respondent's second Order to Show Cause.

15. On May 12, 2014, Respondent's Order was denied.

16. Thereafter, on May 12, 2014 the Respondent moved once again, via the instant Order to Show Cause, seeking to vacate the stipulated judgment with a return date for May 30, 2014. Please see aforementioned Exhibit "1."

17. Petitioner now opposes Respondent's Order.

RESPONDENT HAS FAILED TO MEET THE STANDARD REQUIRED TO VACATE  
THE STIPULATION

18. Stipulations entered into in open court are favored by the courts and are to be set aside only where there is cause sufficient to invalidate a contract such as fraud, duress, collusion, or mistake. *Dubi v. Skiros Corp.*, 2009 NY Slip Op 07793 [2d Dep't 2009]; *Hallock v. Bronx*, 64 NY2d 224 [1984].

19. Here, the Respondent's assertion that this judgment should be vacated is patently false.

20. While Petitioner sympathizes with Respondent's situation, Respondent has had ample opportunity to resolve this amicably outside of Court.

21. In addition, Respondent has provided this Court with no basis upon which to grant her motion, as there is no evidence of fraud, duress, collusion, or mistake.

22. As stated earlier this judgment is based upon a stipulation of settlement that the Respondent willfully defaulted upon. Please see aforementioned Exhibit "3." Please see aforementioned Exhibit "4."

23. Moreover, Respondent's claim that he never appeared before the court on August 1, 2012 is nonsensical.

24. Respondent's signature is prominently displayed on the stipulation in question. Please see aforementioned Exhibit "3."

25. In addition, Respondent's claim that he was previously given a Saturday date to vacate this stipulated judgment is without merit. Please see aforementioned Exhibit "1."

26. As stated earlier, Respondent moved via his first Order to Show Cause, seeking to vacate the stipulated judgment with a return date for August 21, 2013.

27. Despite Respondent's accusations that August 21, 2013, was a Saturday, it was in fact a Wednesday. Please see aforementioned Exhibit "5."

28. Petitioner is just exercising his right to collect monies owed by filing judgment against Respondent. Please see aforementioned Exhibit "4."

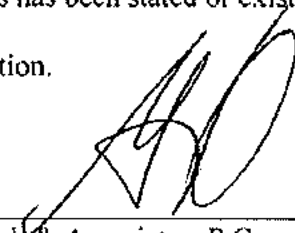
29. While Petitioner is sympathetic to any financial difficulty which Respondent may have experienced, Petitioner submits that the law entitles it to have its judgment satisfied.

30. As Respondent has failed to set forth a basis upon which the Parties' stipulation, in accord with *Dubi* and *Hallock*, this Court must uphold the instant judgment and underlying stipulation.

31. Therefore, Petitioner respectfully requests this Court to deny the instant motion in all respects.

WHEREFORE, as no legal or equitable basis has been stated or exists, Petitioner respectfully asks that this Court deny the instant motion.

Dated: May 8, 2014  
Port Chester, NY



---

Kavulich & Associates, P.C.  
By: Gary Kavulich, Esq.  
Attorney for Petitioner  
181 Westchester, Ave., Suite 500C  
Port Chester, NY 1057  
(914) 355-2074

## **EXHIBIT 1**

Atty Copy

17017

CIVIL COURT OF THE CITY OF NEW YORK  
BRONX COUNTY: HOUSING PART 34H

Concrest Realty

Petitioner (Landlord)

INDEX #: 47671, 10

-against-

ORDER TO SHOW CAUSE

POST JUDGMENT  
(MONEY ONLY)

Delgado / NYCHA Respondent (Tenant)

Upon the annexed affidavit of Joel Delgado, the tenant named above, sworn on the 12th day of May, 20 14, and on all proceedings had herein, let the landlord or his/her attorney show cause before me or one of the Judges of this Court, at a Motion Term of the Housing Part, Part 34H, Room 503 thereof, to be held at the Courthouse thereof, located at 851 Grand Concourse, in the County of the Bronx, City and State of New York, on the 30 day of May, 20 14 at 9:30 AM in the forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be made (opening tenant's default)\*, vacating and setting aside the final judgment entered herein in favor of the landlord and against the tenant on the 1 day of August, 20 12 (and restoring the case to the calendar for trial on a day certain)\* and why such other and further relief should not be granted as may be just in the premises.

Pending the hearing and determination of this motion and the entry of an order thereon, let all proceedings on the part of the landlord, his/her attorneys and agents, and any Marshal or Sheriff of the City of New York for the enforcement of said judgment be stayed.

Karulich Associates  
181 Westchester Ave #500C  
Portchester, N.Y. 10573

Stephen Biegel  
109 West 38th Street - Suite 200  
New York, N.Y. 10018

Sufficient cause therefor appearing, let service of a copy of this order, together with a copy of the affidavit annexed hereto, on the landlord or his attorney and on Marshal Biegel on or before the 14 day of May, 20 14 be sufficient; these papers with proof of service to be filed in court on 5/30/14. Service shall be made by CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(These papers may be served by the tenant in person)\*

DATED: 5/12, 20 14

Elliott  
Judge of the Civil Court of the City of New York

\*Strike out matter in both parentheses if application is based only on non-service of process

Court of the City of New York

[PLEASE PRESS HARD]

Part

Index Number

47671/10

AFFIDAVIT IN SUPPORT OF  
AN ORDER TO SHOW CAUSEFor 750 E 179<sup>th</sup> St

Address:

(Relief Requested)

Bronx NY 10457

Apt. 14E

Petitioner(s),

against

Respondent(s)

Belgado/ NYCHA

State of New York, County of NY ss:

Joel Delgado

(Print your name)

, being duly sworn, deposes and says:

(INITIALS)

1. JD a) I am the party named as (Petitioner)(Respondent) in the above entitled proceeding.  
Party JD b) I am the \_\_\_\_\_ of the party named as (Petitioner)(Respondent) in this proceeding.

(Relationship)

2. JD I request that:  
Request

For a new court date

3. JD I have a good defense/claim because:  
Defense/  
Claim

I was in the hospital when they got the judgement and NYCHA stop paying because they did not repair

4. JD I have a good excuse/reason because:  
Excuse/  
Reason

I got to court late because I was on Access A Ride and they had a first Access A Ride is for disabled people

5. JD a) I have not had a previous Order to Show Cause regarding this Index Number.  
Prior JD b) I have had a previous Order to Show Cause regarding this Index Number but I am making this  
Order further application because I was on Access A Ride and they had a first and I got hear late

Sworn to before me this 12 day of May, 20 14

(Sign)

(Print)

Name

Address

City, State, Zip Code

Telephone Number

Signature of Court Employee and Title

347-454-5740

Page 104



**EXHIBIT 2**

CONCREST REALTY LLC,

Petitioner,

-against-

AFFIDAVIT IN  
OPPOSITION

JOEL DELGADO,

Respondent.

-----X

CITY OF NEW YORK     )  
                                  ) SS  
COUNTY OF BRONX     )

I, Angela Gazivoda, being duly sworn deposes and says:

1. I am the managing agent for the Petitioner, Concrest Realty LLC, herein, and as such I am fully familiar with the facts and circumstances of this proceeding.

2. The within proceeding was initially instituted in 2010 under the instant index number by the Petitioner against the Respondent due to the nonpayment of rent by service of a Notice of Petition and Petition.

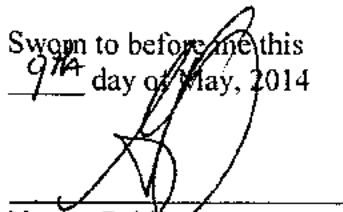
3. On August 1, 2012, the Parties stipulated to a final money judgment for the Petitioner of \$14,625.00.

4. However, as of this date, Respondent has yet to pay any of the outstanding judgment.

5. My attorney has further advised me that the Respondent seeks to vacate the judgment taken against him in this matter.

WHEREFORE, your deponent prays that the relief sought herein is granted in all respects and for such other and further relief as to this court may seem just and proper.

Sworn to before me this  
9<sup>th</sup> day of May, 2014

  
\_\_\_\_\_  
Notary Public

  
\_\_\_\_\_  
Angela Gazivoda

**GARY KAVULICH**  
Notary Public, State of New York  
No. 02KA6205615  
Qualified in Westchester County  
Commission Expires May 11, 2017

**EXHIBIT 3**

Property Code 2229 Unit 17  
JOEL DELGADO  
2229 CRESTON AVENUE  
BRONX, NEW YORK 10453

Other Mailing Address:

11/08/2012

Phone (347) 454-5740 Bz Phone SS# Last Paid 07/10/2012 Shares Owned Parlot  
Lease Start 07/01/2012 Lease End 06/30/2013 Lease Type RSB Move-In 01/01/2008  
Parking Lease Start Parking Lease End Rent Security 0.00 Parking Security 0.00 Other Security 0.00

## BASE CHARGES

Rent 1092.67 Prefer 0.00 Fuel 0.00 Subsidy 255.00  
Air Cond 0.00 Wash Mach 0.00 0.00 0.00 0.00 0.00

## OPEN BALANCES: - Total Balance Due 40216.66

Rent 38361.66 Subsidy 1855.00  
Air Cond 0.00 Wash Mach 0.00 0.00 0.00 0.00 0.00  
Late Charges 0.00 Legal Charges 0.00 Other Charges 0.00

OTHER TENANT INFO: SearchID SearchID V 0534822 POID SE NYCHA  
JULY 13, 2012 WORKER NOEL WAS THIER TO DO WORK THE FLOORS TENANT DID OPEN DOOR (LIZ)

7/19/12 Rebecca 718.450.2285

## LEGAL HISTORY:

4/24/12 Court Date  
4/26/12 Server NOE  
5/22/12 Court Date ADJ for 7/2/12 for tenant to come to office  
7/2/12 Court Date ADJ to 8/1/12 Slip includes repairs access set for 7/9-7/11. Tenant to come to office has \$10,000 in MC's  
8/1/12 Court Date Stay to pay \$14625.00. \$10,000 by 8/10/12 and \$4625 by 9/25/12 Slip includes repairs access 7/8-7/9. APS needs to be notified  
8/7/12 Warrant ordered  
8/13/12 NON-PAYMENT 8/10 confirmed warrant is ordered  
9/18/12 warrant not back

2229 / 17

CURRENT LEGAL: Index 47671/10 Court Date 08/01/2012 Time Pay Date 08/10/2012 Amount 10000.00

	Ordered - Expired	Warrant	Ordered - Expired
Court Repair	08/08 08/09	Possess	
Holdover		Eviction	
Dispossess		3-Day	
Stipulation			

## 1 YEAR OPEN/BALANCE HISTORY

Date	Opening Bal	Base Rent	Mtnly Chgs	Check#/Description	Receipts	Chg/Crd	Bal Due
05/01/2012	33645.95	1053.18	0.00	Monthly Billing	0.00	0.00	34700.13
06/01/2012	34700.13	1053.18	0.00	Monthly Billing	0.00	0.00	35753.31
07/01/2012	35753.31	1053.18	0.00	Monthly Billing	0.00	0.00	36806.49
07/23/2012	36806.49	0.00	0.00	July renewal	0.00	39.49	36845.98
08/01/2012	36845.98	1092.67	0.00	Monthly Billing	0.00	0.00	37938.65
09/01/2012	37938.65	1092.67	0.00	Monthly Billing	0.00	0.00	39031.32
10/01/2012	39031.32	1092.67	0.00	Monthly Billing	0.00	0.00	40123.99
11/01/2012	40123.99	1092.67	0.00	Monthly Billing	0.00	0.00	41216.66
11/08/2012	41216.66	0.00	0.00	Rent Security	0.00	-1000.00	40216.66

1092.67  
x 4  
68  
4370

14625.00  
4370.68  
18995.68

**EXHIBIT 4**

88/86/2012 18:49

7109331813

B.R. & C. P.C.

PAGE 83/85

INDEX NUMBER

**CIVIL COURT OF THE CITY OF NEW YORK**

COUNTY OF

HOUSING COURT PART

HON.

DATE

The parties understand that each party has the right to a trial, the right to see a judge at any time and the right not to enter into a stipulation of settlement. However, after a review of all the issues, the parties agree that they do not want to go to trial and instead agree to the following stipulation in settlement of the issues in this matter.

MARK H. COHEN & ASSOCIATES PC HEREBY APPEAR FOR PETITIONER

RESPONDENT APPEARS PRO SE

IT IS AGREED:

Party (please print)	Added/Amended or Deleted	Appearance	No Appearance	No Answer
Petitioner: <u>Conquest Realty LLC</u>		X		
Respondent 1: <u>Joel Angelo</u>		X		
Respondent 2:				
Respondent 3:				

Petition amended to date

NEW

Final Judgment for \$ 14,625.00 in favor of Petitioner which is rent owed through

warrant shall issue forthwith

Execution of warrant stayed to See below for payment of \$ 14,625.00

Payments are to first be applied to current rent and then to the arrears.

Petitioner consents to one OTSC motion for good cause shown by the Respondent.

Respondent given complete rent history to court.

Petitioner reserves its claims for legal fees, marshall fees and late charges.

to 8/10/12 for 10,000 (less has the money)

to 9/25/12 for 4,625.00 rent 925.00 per lease

rent 1,000.00 - April thru Aug

MARK H. COHEN & ASSOCIATES PC  
2406 HOFFMAN STREET SUITE 3  
BRONX, NEW YORK 10458

**EXHIBIT 5**



CIVIL COURT OF THE CITY OF NEW YORK  
BRONX COUNTY: HOUSING PART 34HNYSDL  
Delgado, Joel, O  
12017INDEX #: 47671, 2010Concrest Realty LLC

Petitioner (Landlord)

ORDER TO SHOW CAUSE

-against-

Joel Delgado  
NYCHAPOST JUDGMENT  
(MONEY ONLY)

Respondent (Tenant)

Upon the annexed affidavit of Joel O Delgado, the tenant named above, sworn on the 7<sup>th</sup> day of August, 20 13, and on all proceedings had herein, let the landlord or his/her attorney show cause before me or one of the Judges of this Court, at a Motion Term of the Housing Part, Part 34H, Room 503 thereof, to be held at the Courthouse thereof, located at 851 Grand Concourse, in the County of the Bronx, City and State of New York, on the 21<sup>st</sup> day of August, 20 13 at 9:30 AM in the forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be made (opening tenant's default)\*, vacating and setting aside the final judgment entered herein in favor of the landlord and against the tenant on the 1<sup>st</sup> day of August, 20 12 (and restoring the case to the calendar for trial on a day certain)\* and why such other and further relief should not be granted as may be just in the premises.

Pending the hearing and determination of this motion and the entry of an order thereon, let all proceedings on the part of the landlord, his/her attorneys and agents, and any Marshal or Sheriff of the City of New York for the enforcement of said judgment be stayed.

<u>Gary Krawulich</u>	<u>Marshall Bigel</u>
<u>181 Westchester Room 500C</u>	<u>109 W 38<sup>th</sup> St</u>
<u>Portchester, NY 10573</u>	<u>NY NY 10018</u>

Sufficient cause therefor appearing, let service of a copy of this order, together with a copy of the affidavit annexed hereto, on the landlord or his attorney and on Marshal Bigel on or before the 9<sup>th</sup> day of August, 20 13 be sufficient; these papers with proof of service to be filed in court on August 21<sup>st</sup> 2013. Service shall be made by CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(These papers may be served by the tenant in person)\*

DATED: August 7, 20 13.[Signature]  
Judge of the Civil Court of the City of New York

\*Strike out matter in both parentheses if application is based only on non-service of process

## Civil Court of the City of New York

COUNTY OF BS

(PLEASE PRESS HARD)

Index No. LT

47671/2010Housing Part 34HAFFIDAVIT IN SUPPORT OF  
ORDER TO SHOW CAUSE  
To Restore to the CalendarConcrete Realty LLC

Petitioner,

Joel Delgado  
NYCHA

Respondent

Address:

750 E 179<sup>th</sup> StBRONX N.Y. 10457 Apt. 14EState of New York, County of BS

ss.:

X JoelDELGADO

(Print Your Name)

being duly sworn, deposes and says:

Tenant's Initials

1. PARTY a) I am the tenant named as respondent in the above summary proceeding.  
b) I am the person claiming possession to these premises and am the \_\_\_\_\_ of the tenant named above.

2. TRIAL On the Date of Trial  
a) a stipulation (a written agreement) was made between landlord and tenant.  
b) a trial was held before Judge \_\_\_\_\_  
c) Other: \_\_\_\_\_

3. REASON FOR APPLI-CATION I make this application to Restore the Case to the Calendar because:  
I never got court papers about they are  
suing me and I will like the lien lifted  
because I am on social security and now I can't  
pay my rent they have my account on hold  
and I never knew I was getting sued  
and I don't live in that address please thank u

4. REQUEST I request that the case be restored to the calendar and that I be granted permission to serve these papers in person.

5. PRIOR ORDER a) I have not had a previous Order to Show Cause regarding this index number.  
b) I have had a previous Order to Show Cause regarding this index number, but I am making this further application because: \_\_\_\_\_

6. PRIOR CASES The same landlord and I have been in Housing Court before. Earlier Index Number(s): \_\_\_\_\_

Sworn to before me this 7 day of August, 2013

(Signature of Respondent)

(Signature of Court Employee and File)

CIV-LT-10 (Revised 12/89)

**EXHIBIT 6**

17017

CIVIL COURT OF THE CITY OF NEW YORK  
BRONX COUNTY: HOUSING PART 34H*Concrete Technology*

Petitioner (Landlord)

INDEX #: 47671, 10

ORDER TO SHOW CAUSE

-against-

POST JUDGMENT  
(MONEY ONLY)*Delgado N.Y.C.H.A.*

Respondent (Tenant)

Upon the annexed affidavit of 5001 Delgado, the tenant named above, sworn on the 22<sup>nd</sup> day of April, 20 14, and on all proceedings had herein, let the landlord or his/her attorney show cause before me or one of the Judges of this Court, at a Motion Term of the Housing Part, Part 34H, Room 503 thereof, to be held at the Courthouse thereof, located at 851 Grand Concourse, in the County of the Bronx, City and State of New York, on the 12<sup>th</sup> day of May, 20 14 at 9:30 AM in the forenoon of that day, or as soon thereafter as counsel can be heard, why an order should not be made (opening tenant's default)\*, vacating and setting aside the final judgment entered herein in favor of the landlord and against the tenant on the 1 day of August, 20 12 (and restoring the case to the calendar for trial on a day certain)\* and why such other and farther relief should not be granted as may be just in the premises.

Pending the hearing and determination of this motion and the entry of an order thereon, let all proceedings on the part of the landlord, his/her attorneys and agents, and any Marshal or Sheriff of the City of New York for the enforcement of said judgment be stayed.

<i>Kamukuh Associates</i>	<i>Stephen Biemel</i>
<i>181 Westchester Ave.</i>	<i>109 West 38<sup>th</sup> St.</i>
<i>Suite 500C</i>	<i>Suite 200</i>
<i>Portchester, NY 10573</i>	<i>New York, NY 10018</i>
	<i>212-627-7425</i>

Sufficient cause therefor appearing, let service of a copy of this order, together with a copy of the affidavit annexed hereto, on the landlord or his attorney and on Marshal DIEGEL on or before the 26 day of April, 20 14 be sufficient; these papers with proof of service to be filed in court on 5/12/14. Service shall be made by CERTIFIED MAIL, RETURN RECEIPT REQUESTED.

(These papers may be served by the tenant in person)\*

DATED: April 22<sup>nd</sup>, 20 14

Judge of the Civil Court of the City of New York

HON. RUBÉN FRANCO

\*Strike out matter in both parentheses if application is based only on non-service of process

**Civil Court of the City of New York**  
 COUNTY OF MA

(PLEASE PRESS HARD)

Index No. LT 47671-17

**AFFIDAVIT IN SUPPORT OF  
 ORDER TO SHOW CAUSE  
 To Restore to the Calendar**

Address 750 E 174<sup>th</sup> St  
BRONX N.Y. 10457 Apt. 14E

State of New York, County of MA ss.:

JOEL DELGADO  
 (Print Your Name)

being duly sworn, deposes and says:

## Tenant's Initials

1. XSD a) I am the tenant named as respondent in the above summary proceeding.  
 PARTY b) I am the person claiming possession to these premises and am the \_\_\_\_\_ of the tenant named above.
2. X On the Date of Trial  
 TRIAL a) a stipulation (a written agreement) was made between landlord and tenant.  
 b) a trial was held before Judge \_\_\_\_\_  
 c) Other: they gave me a court date for 9/28 that was a SATURDAY
3. 1 I make this application to Restore the Case to the Calendar because:  
 REASON FOR APPLIC-  
 CATION I do not owe this money to them and when they got a JUDGMENT against me I was in the HOSPITAL and NYCHA STOP PAYING THEM BECAUSE they did not do REPAIRS & there was not Heat OR Hot water OR GAS FOR OVER 8 months in the ENTIRE building
4. XSD I request that the case be restored to the calendar and that I be granted permission to serve these papers in person.  
 REQUEST
5. XSD a) I have not had a previous Order to Show Cause regarding this index number.  
 PRIOR ORDER b) I have had a previous Order to Show Cause regarding this index number, but I am making this further application because: last time I was HEAR they gave me a court date 9/28 that was a SATURDAY
6. \_\_\_\_\_ The same landlord and I have been in Housing Court before. Earlier Index Number(s): \_\_\_\_\_  
 PRIOR CASES

Sworn to before me this 22nd day of April, 2018

(Signature of Respondent)

(Signature of Court Employee and Title)

Revised 12/89

MARSHAL

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX: PART 34H

Index No. L&T 47671/10  
File No. 17017

-----X  
CONCREST REALTY LLC.,

Petitioner,

-against-

AFFIRMATION OF  
SERVICE

JOEL DELGADO,

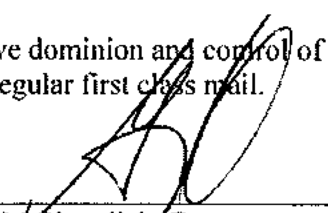
Respondent.  
-----X

Gary M. Kavulich, Esq., an attorney duly admitted to practice law before the courts of the State of New York hereby affirms the following under the penalty of perjury.

On May 18, 2014, I served the within Affirmation in Opposition upon JOEL DELGADO, the Respondent in this action, by depositing a true copy in a post-paid envelope addressed to:

JOEL DELGADO  
750 E. 179<sup>th</sup> Street, Apt. 14E  
Bronx, NY 10457

in an official depository under the exclusive dominion and control of the United States Postal Service within the State of New York via regular first class mail.

  
\_\_\_\_\_  
Gary M. Kavulich, Esq.

INDEX NO: L&T 47671/10

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX: PART 34H

---

CONCREST REALTY LLC.,

Petitioner,

- against -

JOEL DELGADO,

Respondent.

---


AFFIRMATION IN OPPOSITION

---

Signature Rule 130-1.1-a

---

Print Name Beneath -

  
Gary M. Kavulich, Esq.

---

Kavulich & Associates, P.C.  
Attorneys for Petitioner  
181 Westchester Ave., Suite 500C  
Port Chester, NY 10573  
(914) 355-2074

## Civil Court of the City of New York

County of BronxPart 34HConcrest Realty LLCClaimant(s)/Plaintiff(s)/Petitioner(s)  
againstJoni Delgado

Defendant(s)/Respondent(s)

Index Number LT 17611/2010

Motion Cal. # \_\_\_\_\_ Motion Seq. # \_\_\_\_\_

File 17017**DECISION/ORDER**

Recitation, as required by CPLR 62219 (a), of the papers considered in the review of this Motion

Papers	Numbered
Notice of Motion and Affidavits Annexed.....	_____
Order to Show Cause and Affidavits Annexed....	_____
Answering Affidavits .....	_____
Replying Affidavits.....	_____
Exhibits .....	_____
Other.....	_____

Upon the foregoing cited papers, the Decision/Order on this Motion to Respondent's Order


to show cause seeking to vacate the stipulated judgment is as follows:  
is hereby denied in all respects. Petitioner's execution  
measures and restraints shall remain in full force and effect.  
This shall constitute a decision and order of this Court.

6/06/2014

Date

Civil Court  
of the  
City of New York

JUN 06 2014

**ENTERED**  
BRONX COUNTY

Judge, Civil Court

**HON. EDDIE J. McSHAN**



CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

-----X  
CONCREST REALTY, LLC,

Plaintiff,

-against-

L&T INDEX NO. 47671/10

FILE NO. 17017

NOTICE OF ENTRY

JOEL DELGADO,

Defendant(s).  
-----X

PLEASE TAKE NOTICE, that annexed hereto is the Decision/Order duly entered  
in the office of the Clerk of the Court on the 6<sup>th</sup> day of June, 2014

Dated: Westchester, NY  
June 9, 2014

Yours, etc.,

Kavulich & Associates, PC  
181 Westchester Avenue, Ste. 500C  
Port Chester, NY 10573

To: Joel Delgado  
750 E. 179<sup>th</sup> Street  
Apt. 14E  
Bronx, NY 10457

2014 JUN 16 PM 2:13

## Civil Court of the City of New York

County of BronxPart 3411Index Number 17-17611/2016Motion Cal. # 1701Motion Seq. # 1701**DECISION/ORDER**

Recitation, as required by CPLR §2219 (a), of the papers considered in the review of this Motion

Claimant(s)/Plaintiff(s)/Petitioner(s)

against

Joel Delgado

Defendant(s)/Respondent(s)

## Papers

## Numbered

Notice of Motion and Affidavits Annexed.....

Order to Show Cause and Affidavits Annexed.....

Answering Affidavits.....

Replying Affidavits.....

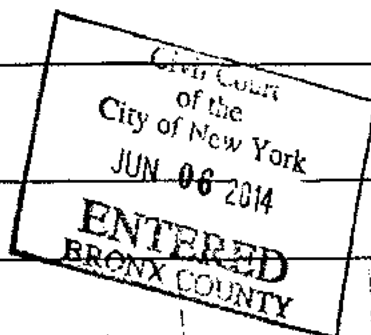
Exhibits.....

Other.....

Upon the foregoing cited papers, the Decision/Order on this Motion to Respondent's Orderto show cause speaking or write the stipulated judgment is as follows:

I hereby denied ~~motion~~ in all respects. All ~~existing~~ existing  
measures and restraints shall remain in full force and effect.  
This shall constitute a decision and order of this court

Date

6/16/2014

Judge, Civil Court

HON. EDDIE J. McSHAN

Page 122

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

L&T Index No. 47671/10  
File No. 17017

-----X  
CONCREST REALTY, LLC,

Plaintiff,

AFFIDAVIT OF SERVICE  
BY MAIL

-against-

JOEL DELGADO,

Defendant(s).  
-----X

STATE OF NEW YORK  
COUNTY OF WESTCHESTER ss:

Vanessa Sooksavath being duly sworn, deposes and says:

I am over 18 years of age and not a party to this action. On June 9, 2014

I served the within Notice of Entry upon the Defendant(s) in this action, by depositing

a true copy of the Notice of Entry in a postpaid envelope addressed to:

Joel Delgado  
750 E. 179<sup>th</sup> Street, Apt. 14E  
Bronx, NY 10457

in an official depository under the exclusive care and custody of the United States Postal Service,  
within the State of New York via regular first class mail.

  
\_\_\_\_\_  
Vanessa Sooksavath

Sworn to before me,  
this 9<sup>th</sup> day of June, 2014

  
\_\_\_\_\_  
Notary Public

GARY KAVULICH  
NOTARY PUBLIC-STATE OF NEW YORK  
NO: 02KA6205615  
QUALIFIED IN WESTCHESTER COUNTY  
MY COMMISSION EXPIRES 05/11/2017

NOTICE OF ENTRY

PLEASE take notice that the within is a  
(certified) true copy of a  
duly entered in the office of the clerk of  
the within named court on

Dated,

Attorney for  
Office and Post Office Address

To

Attorneys(s) for

NOTICE OF SETTLEMENT  
PLEASE take notice that an order

of which the within is a true copy will be presented  
for settlement to the Hon.  
one of the judges of the within named Court, at

on  
at  
Dated,

Yours, etc.

Attorney for

Office and Post Office Address

To

L&T INDEX NO. 47671

YEAR 2010

CIVIL COURT OF THE CITY OF NEW YORK  
COUNTY OF BRONX

CONCREST REALTY, LLC,

Plaintiff,

-against-

JOEL DELGADO,

Defendant(s).

NOTICE OF ENTRY

Signature(Rule 130-1.1-a)

Gary Kavulich, Esq.

Kavulich & Associates, P.C.

Attorney for Plaintiff

Office and Post Office Address, Telephone  
181 Westchester Avenue, Ste. 500C  
Port Chester, NY 10573

914-355-2074

To

Attorney(s) for

Service of a copy of the within is hereby admitted.  
Dated

Attorneys(s) for

is subject to punishment by imprisonment for five years. (Penal Law § 175.35) page 125

047671

10

047671

047671/2010 RESDL NODIFY 08/31/2010

PREMISES:

2229 CRESTON AVENUE 17  
Creston LLC  
PET: 2229 CRESTON PARTNERS  
ATTY: DAVID MESSER ASSOCIATES  
-again  
MARC COHEN & ASSOC  
RESPONDE  
RSP: DELGADO/INCHA JOEL  
ATTY:

Address

☐ Non-Payment ☐ Holdover ☐ Other  
☐ Residential ☐ H.P. ☐ 7-A ☐ Commercial

Date Filed Index Number

LT 047671 -10

Assigned to Part

☐ Date Filed  
☐ Fee Waived - Judge  
☐ Appeal Filed  
☐ Jury Demand Filed

Civil Court of the City of New York  
housing Court

spontaneous ANSWER/DEFENDANT ISSUED

is/was is TO MARSHAL

itioner Notified on DATE

Trial Date Part

Date 2/10/11	Court Action or Comments Adj 3/2/11 2 9130 per ship	Adjustment Request Petitioner Respondent Court Comment	Notice of Appearance <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
Part		Reason for Adjustment:	
So Ordered		Rent Deposit: Adjustment period to be excluded under RPAPL §745(2) Adjustment period to be charged under RPAPL §745(2) Days charged to be limited to	
Judge		Adjustment Request Petitioner Respondent Court Comment	Notice of Appearance <input type="checkbox"/> Petitioner <input type="checkbox"/> Respondent
Date 3/23	Court Action or Comments 4/19 2015 11 24 The case is 700-07-600	Reason for Adjustment:	
Part		Rent Deposit: Adjustment period to be excluded under RPAPL §745(2) Adjustment period to be charged under RPAPL §745(2) Days charged to be limited to	
So Ordered		Adjustment Request Petitioner Respondent Court Comment	Remarks:
Judge		Reason for Adjustment:	
Date 3/11/11	Court Action or Comments J ANDYMAN Stay vacated	Adjustment Request Petitioner Respondent Court Comment	
Part		Rent Deposit: Adjustment period to be excluded under RPAPL §745(2) Adjustment period to be charged under RPAPL §745(2) Days charged to be limited to	
So Ordered			
Judge			

FELONY WARNING:

A person who willfully and unlawfully removes, mutilates, destroys, or fails or obstructs a record of this office is subject to punishment by imprisonment for five years (Penal Law § 175.25)

213923



0308412